

- Within two months, in consultation with NIC, and with the aid of a consultant approved by the Department, review all relevant ADOC, and individual facility, policies and procedures. Based upon the review, ADOC should, within two months, make appropriate changes to ADOC's—and to each individual prison's—policies and procedures.
- Within six months, provide remedial training on security measures, with a curriculum approved by the Department, to all correctional staff. Thereafter, provide at least 40 hours of in-service training to all staff annually.
- Within two months, ensure that security rounds are conducted in all living areas at least once every hour, and at least once every half hour in any special management population areas (segregation, mental health housing, etc.), or more frequently as required for prisoners on suicide watch. These rounds should be documented in a bound log book maintained on each housing unit, as well as a master log for each prison, and the documentation should be reviewed at least weekly by facility leadership and not less than quarterly by ADOC leadership. Deficiencies in complying with these requirements should be addressed immediately.
- Within two months, develop a centralized system that will contain autopsies of all prisoners who die in ADOC custody. ADOC should conduct an interdisciplinary administrative and medical post mortem following each death and, at least quarterly, assess the system for patterns and trends, and implement remedial measures to correct any identified issues.

3. Contraband. ADOC should:

- Immediately implement shakedowns such that at least 15% of all housing units are searched every day, with congregate areas searched weekly; written documentation showing the results of those shakedowns must be maintained. ADOC should immediately implement daily searches of the interior of the perimeter, the yard, and congregate feeding and recreation areas before and after each use by prisoners, and searches of visiting rooms (including restrooms) before and after every visiting period, with the results of these searches documented. Those results should be analyzed for patterns and trends. ADOC should implement plans to address any patterns or trends discovered.
- Within one month, draft a policy requiring the screening of *every* individual who enters a facility (staff, visitors, volunteers, etc.). Once the policy has been submitted to the Department and approved, implement the policy system-wide within one month.
- Within two months, ensure that each facility has working metal detectors at every entrance, and that each facility has implemented a procedure to use them on all persons entering the prison.

- Within one month, consult with a nationally recognized expert, approved by the Department, to determine other methods of detecting illegal drugs and other contraband being brought into the facilities, for those drugs that will not be detected by metal detectors. Include recommended measures in ADOC policy on screening.
- Within six months, implement any reasonable additional screening procedures for illegal drugs and other contraband that cannot be detected by a metal detector.
- Within two months, provide adequate medical treatment, using evidence-based treatment, for all prisoners detoxifying as illegal drugs and other contraband are reduced and eventually eliminated from the facilities.

4. Sexual Abuse.

ADOC should:

- Immediately revise ADOC's disciplinary process to avoid subjecting victims to unnecessary disciplinary actions when they seek assistance or protection from ADOC due to threatened or actual sexual abuse.
- Immediately institute a process whereby every allegation of sexual abuse is investigated and the investigation is properly documented. In order to do so, ADOC should ensure a professional investigation unit is in place with the training, skills, and sufficient staffing to investigate every allegation within 60 days.
- Within one month, hire a nationally recognized expert on PREA, to be approved by Department, who will produce a report within two months of hiring. The report should suggest immediate and long-term remedies to address the sexual safety issues in Alabama's prisons. ADOC should implement all immediate measures within three months of receiving the report.
- Within three months, reclassify every prisoner for sexual safety issues, and ensure that potential predators are separated from potential victims.

5. Facility Conditions. ADOC should:

- Within one month, identify all broken locks in Alabama's prisons, and identify how they will be repaired or replaced. Within a month after that, secure funds for such repairs or replacement, and hire a contractor to perform the job within 30 days.
- Within six months, ensure that at least 80 percent of toilets, sinks, and showerheads at each prison are in working condition.

- Within six months, install cameras throughout all prisons that will remain open for more than one year, with locations to be approved by the Department. All video should be retained for 90 days unless an assault on a prisoner or staff occurs in an area surveilled, in which case the video should be preserved until the matter is fully investigated and prosecuted or dismissed by authority of the Commissioner. Wardens should review video at least monthly. Any out-of-service video equipment should be replaced within 72 hours.
- Within 90 days, identify the three prisons in the worst physical condition and take preliminary steps to ensure remedies are initiated which provide humane living conditions.

B. Long-Term Measures

ADOC should:

- By 2020, staff Alabama's prisons consistent with the requirements of the *Braggs* staffing orders.
- Establish competitive base starting salaries and benefits packages for employees.
- Ensure that applicants for ADOC employment can apply and interview in their local area, and provide frequent testing for applicants.
- Continuously track correctional officer turnover by year, breaking out exits by years of service, age, gender, ethnicity, and facility, and use information learned through this tracking to remedy reasons for attrition.
- Employ systematic exit interviews of correctional officers and report annually on reasons for departures, cross-tabulated by age, gender, ethnicity, and facility.
- Ensure that prisoner housing areas are adequately supervised, through direct supervision, whenever prisoners are present.
- Ensure that prisoners are tested for synthetic drugs on a regular, but random, basis. Each prisoner should be tested at least every six months, and the testing should be documented and the results reviewed by ADOC administrators.
- Develop a plan and implement a policy for detecting and reducing the amount of contraband throughout ADOC facilities, including the appointment of a Chief Interdiction Officer for contraband interdiction.
- Ensure that ADOC has, and is following, policies and procedures for an appropriate, objective classification system that separates prisoners in housing

units by classification levels in order to protect prisoners from unreasonable risk of harm.

- Discontinue the use of “behavior modification” dormitories (“Hot Bays”) unless mental health professionals play a role in both the assignment of prisoners to such placements and are involved in the treatment provided.
- Ensure that every prisoner-on-prisoner assault is documented and investigated, and that staff is trained on how to prevent and address such incidents.
- Comply with PREA and its implementing regulations, the National Standards to Prevent, Detect, and Respond to Prison Rape (28 C.F.R. §§ 115 *et seq.*).
- Develop and implement a policy on prevention, detection, reporting, and investigation of prisoner-on-prisoner and staff extortion of prisoners and their families.
- Develop a written institutional plan to coordinate actions taken in response to an incident of physical abuse, sexual abuse, and/or extortion among staff first responders, medical and mental health practitioners, investigators, and facility leadership.
- Develop an effective substance abuse disorder program.
- Develop and implement an effective grievance process. In the event that a grievance is filed against a staff member, the submission process must allow for options of submission that are neither seen by, nor referred to, the staff member who is the subject of the complaint.
- Develop and implement a plan to prevent prisoners from entering housing units other than the ones to which they are assigned.
- Implement procedures to ensure sanitary prisons.

VI. CONCLUSION

The Department has reasonable cause to believe that ADOC violates the constitutional rights of prisoners housed in Alabama’s prisons by failing to protect them from prisoner-on-prisoner violence, prisoner-on-prisoner sexual abuse, and by failing to provide safe conditions.

We are obligated to advise you that 49 days after issuance of this letter, the Attorney General may initiate a lawsuit pursuant to CRIPA to correct deficiencies identified in this letter if State officials have not satisfactorily addressed our concerns. 42 U.S.C. § 1997b(a)(1). The Attorney General may also move to intervene in related private suits 15 days after issuance of

this letter. 42 U.S.C. § 1997c(b)(1)(A). Please also note that this Notice is a public document. It will be posted on the Civil Rights Division's website.

EXHIBIT 5

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ALABAMA
3 MIDDLE DIVISION
4

5 Case No.: 4:19-cv-01934-ACA
6

7 AUNDRA DEBREL BOYKINS,

8 Plaintiff,

9 v.

10 JEFFERSON DUNN, et al.,

11 Defendants.
12
13

14 VIDEO DEPOSITION TESTIMONY OF
15 CORTEZ WHITTINGTON
16
17

18 October 4, 2022

19 9:07 a.m.
20
21

22 COURT REPORTER:

23 MELANIE PETIX BEASLEY, CCR

<p style="text-align: right;">Page 2</p> <p>1 S T I P U L A T I O N S</p> <p>2 It is hereby stipulated and</p> <p>3 agreed, by and between the parties through</p> <p>4 their counsel, that the deposition of CORTEZ</p> <p>5 WHITTINGTON may be taken before Melanie</p> <p>6 Petix Beasley, Certified Court Reporter and</p> <p>7 Notary Public for the State of Alabama at</p> <p>8 Large, at Jefferson County Jail, 809 Richard</p> <p>9 Arrington Jr. Boulevard North, Birmingham,</p> <p>10 Alabama 35203, on October 4, 2022,</p> <p>11 commencing at 9:07 a.m.</p> <p>12 It is further stipulated and</p> <p>13 agreed that the signature to and the reading</p> <p>14 of the deposition by the witness are waived,</p> <p>15 the deposition to have the same force and</p> <p>16 effect as if full compliance had been had</p> <p>17 with all laws and rules of Court relating to</p> <p>18 the taking of depositions.</p> <p>19 It is further stipulated and</p> <p>20 agreed that it shall not be necessary for</p> <p>21 any objections to be made by counsel as to</p> <p>22 any questions except as to form or leading</p> <p>23 questions, and that counsel for the parties</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 J.S. "CHRIS" CHRISTIE, ESQ.</p> <p>5 R. TERRELL BLAKESLEAY, ESQ.</p> <p>6 DENTONS SIROTE PC</p> <p>7 2311 Highland Avenue South</p> <p>8 Birmingham, Alabama 35205</p> <p>9</p> <p>10 BRETT M. MANISCO, ESQ.</p> <p>11 JENNIFER S. GARRETT, ESQ.</p> <p>12 AKIN, GUMP, STRAUSS, HAUER & FELD, LLP</p> <p>13 1999 Avenue of the Stars</p> <p>14 Suite 600</p> <p>15 Los Angeles, California 90067</p> <p>16</p> <p>17 FOR THE DEFENDANT:</p> <p>18 ELLIE PUTMAN, ESQ.</p> <p>19 LANDON WHATLEY, ESQ.</p> <p>20 MAYNARD, COOPER & GALE, PC</p> <p>21 655 Gallatin Street</p> <p>22 Huntsville, Alabama 35801</p> <p>23</p>
<p style="text-align: right;">Page 3</p> <p>1 may make objections and assign grounds at</p> <p>2 the time of trial, or at the time said</p> <p>3 deposition is offered in evidence, or prior</p> <p>4 thereto.</p> <p>5 In accordance with Rule 5(d) of</p> <p>6 The Alabama Rules of Civil Procedure, as</p> <p>7 amended, effective May 15, 1988, I, Melanie</p> <p>8 Petix Beasley, Certified Court Reporter, am</p> <p>9 hereby delivering to R. Terrell Blakesleay,</p> <p>10 Esq. the original transcript of the oral</p> <p>11 testimony taken on October 4, 2022, along</p> <p>12 with exhibits.</p> <p>13 Please be advised that this is the</p> <p>14 same and not retained by the Court Reporter,</p> <p>15 nor filed with the Court.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 5</p> <p>1 A P P E A R A N C E S</p> <p>2 (Continued)</p> <p>3</p> <p>4 PEGGY ROSSMANITH, ESQ.</p> <p>5 OFFICE OF THE ATTORNEY GENERAL</p> <p>6 STATE OF ALABAMA</p> <p>7 501 Washington Avenue</p> <p>8 P.O. Box 300152</p> <p>9 Montgomery, Alabama 36130</p> <p>10</p> <p>11</p> <p>12 ALSO PRESENT: Ted Yost, Videographer</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

<p style="text-align: right;">Page 6</p> <p>1 I N D E X</p> <p>2</p> <p>3 EXAMINATION BY: PAGE:</p> <p>4 Mr. Blakesleay 14</p> <p>5</p> <p>6 E X H I B I T S</p> <p>7</p> <p>8</p> <p>9 PLAINTIFF'S: PAGE:</p> <p>10 Exhibit 1 - Bates CORR 001217-1219 62</p> <p>11 Exhibit 2 - Diagram 161</p> <p>12 Exhibit 3 - Diagram 214</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 8</p> <p>1 he's right outside the room, so before he</p> <p>2 gets in the room, I thought I would give you</p> <p>3 an opportunity to put anything on the record</p> <p>4 based on the e-mail that you sent.</p> <p>5 MS. PUTMAN: Sure. I will --</p> <p>6 first of all, I would ask that you -- you</p> <p>7 prove that the subpoena for Mr. Whittington</p> <p>8 was served. We haven't received that and it</p> <p>9 don't -- doesn't look like it's been filed</p> <p>10 with the Court.</p> <p>11 MR. CHRISTIE: We're here taking</p> <p>12 the deposition. We're going to take the</p> <p>13 deposition. I don't -- we don't have the</p> <p>14 proof of service with us today.</p> <p>15 MS. PUTMAN: When -- when was he</p> <p>16 served?</p> <p>17 MR. CHRISTIE: He was served in</p> <p>18 Cullman and then the ADOC transferred him to</p> <p>19 Jefferson County.</p> <p>20 MR. BLAKESLEAY: And he got -- he</p> <p>21 got served here as well.</p> <p>22 MS. PUTMAN: When was he served?</p> <p>23 MR. CHRISTIE: And he got served</p>
<p style="text-align: right;">Page 7</p> <p>1 I, Melanie Petix Beasley, a</p> <p>2 Certified Court Reporter and Notary Public</p> <p>3 for the State of Alabama at Large, acting as</p> <p>4 Commissioner, certify that on this date,</p> <p>5 pursuant to the Alabama Rules of Civil</p> <p>6 Procedure, and the foregoing stipulations of</p> <p>7 counsel, there came before me at Jefferson</p> <p>8 County Jail, 809 Richard Arrington Jr.</p> <p>9 Boulevard North, Birmingham, Alabama 35203,</p> <p>10 on October 4, 2022, commencing at or about</p> <p>11 9:07 a.m., CORTEZ WHITTINGTON, witness in</p> <p>12 the above cause, for oral examination,</p> <p>13 whereupon, the following proceedings were</p> <p>14 had:</p> <p>15</p> <p>16 MR. CHRISTIE: Ms. Putman, I got</p> <p>17 your e-mail. And I'm assuming that you can</p> <p>18 hear me?</p> <p>19 MS. PUTMAN: Yes. Not -- not</p> <p>20 extremely clearly, but I can hear you.</p> <p>21 MR. CHRISTIE: All right. Great.</p> <p>22 Give you an opportunity to put anything on</p> <p>23 the record if you want before Mr. Cortez --</p>	<p style="text-align: right;">Page 9</p> <p>1 here also.</p> <p>2 MR. BLAKESLEAY: This was --</p> <p>3 MS. PUTMAN: Okay. You're not</p> <p>4 answering my question. When was he served</p> <p>5 with a subpoena?</p> <p>6 MR. CHRISTIE: Twice. He was</p> <p>7 served once in Cullman and once in Jefferson</p> <p>8 County. I don't know the exact days.</p> <p>9 MR. BLAKESLEAY: This was last</p> <p>10 week I believe he was served here in</p> <p>11 Jefferson County.</p> <p>12 MR. CHRISTIE: Yeah, last week, he</p> <p>13 was served here in Jefferson County.</p> <p>14 MS. PUTMAN: Okay. Well, I just</p> <p>15 want to put on the record that the Internet</p> <p>16 access in Jefferson County jail seems to be</p> <p>17 very spotty. We asked counsel yesterday to,</p> <p>18 you know, provide us with an explanation of</p> <p>19 what steps you've taken to ensure that this</p> <p>20 was going to be -- that we would be able to</p> <p>21 participate fully by video. So if -- if,</p> <p>22 you know, we encounter any issues with</p> <p>23 Internet, then I'm afraid we'll have a need</p>

<p style="text-align: right;">Page 58</p> <p>1 as people putting money on your store 2 account? 3 A. Yeah. 4 Q. Can you explain that for me? 5 A. I mean, you could do -- you could 6 do money on your book, Green Dot. There's 7 different ways in prison, like -- 8 Q. Okay. 9 A. It ain't nec -- you ain't nec -- 10 it ain't necessarily going to be no track of 11 no money if you getting it illegally. 12 Q. Right. 13 A. They going to try to do -- it 14 going to be -- everything going to be done 15 through they cell phone. 16 Q. Okay. 17 A. To keep -- just to keep down so 18 many transactions, 'cause the person going 19 to want to know where all this type of money 20 coming from. 21 Q. Okay. So it's -- is it difficult, 22 I guess, for correctional officers or 23 whatnot to track those type of transactions?</p>	<p style="text-align: right;">Page 60</p> <p>1 A. I went to lockup. 2 Q. Okay. And by lockup, what do you 3 mean by that? 4 A. Solitary confinement, a room by 5 myself. 6 Q. Is that like -- also like -- 7 A. Until they see is they going to 8 get rid of me or get rid of him or can we 9 live together. But now, I think they 10 stopped the living agreement. Like you can 11 get into it with some -- I think they 12 stopped it because people act like they can 13 live around, then they'll go right back out 14 there and do the same thing, try to hurt 15 each other again. 16 Q. So by lockup, do you mean 17 restricted housing? 18 A. Yeah. 19 Q. Is that another name for it? 20 A. (Nods head.) 21 Q. Okay. So how many times, I guess 22 -- well, first of all, how many times -- did 23 he stab you in that instance?</p>
<p style="text-align: right;">Page 59</p> <p>1 A. Yeah, it's harder for them. It's 2 a way like that we know how to get around 3 them from knowing. 4 Q. And they won't know at all? 5 A. Uh-uh. 6 Q. Okay. 7 A. Only way they probably know, if 8 they get -- find the phone and hook it up to 9 the computer and do all that, dump the 10 photos or whatever. 11 Q. Okay. And so getting back to the 12 incident where you were involved in a 13 stabbing at Elmore, so you got into that 14 altercation, how were you caught? Were you 15 caught by COs in that instance? 16 A. No. I mean, yeah. As a matter of 17 fact, I never got away. 18 Q. Okay. 19 A. It was like they observed. 20 Q. Oh, so they saw it? 21 A. (Nods head.) 22 Q. Okay. And what happened after 23 they saw it?</p>	<p style="text-align: right;">Page 61</p> <p>1 A. Yes. 2 Q. How many times did he stab you? 3 A. I would say one -- three. 4 Q. Okay. How many times did you stab 5 him? 6 A. About six, seven. 7 Q. Do you remember where you stabbed 8 him? 9 A. Uh-uh. I just -- I don't 10 remember. I just was defending my, you 11 know -- 12 Q. Okay. So let's go to -- to after 13 that, was there a disciplinary involved in 14 that incident? 15 A. It should be. 16 Q. Okay. 17 18 (Discussion off the record.) 19 20 Q. I'm going to mark this as 21 Plaintiff's Exhibit 1. Okay. I'm marking 22 this as Plaintiff's Exhibit 1. And the 23 Bates number range for this is CORR 001217</p>

<p style="text-align: right;">Page 98</p> <p>1 they know everybody here. I know they 2 probably not going to catch everything, 3 someone -- somebody is going to get away 4 with something. 5 Q. Right. So -- 6 A. There's so many inmates. 7 Q. So in your experience, just to 8 clarify, you're saying that there were times 9 that they would -- and by they, I mean the 10 correctional officers or whoever was doing 11 the count, they would check the roster 12 sheet, but would they physically go in and 13 see who was in each cell and make sure that 14 they were in each cell? 15 A. They do that -- I ain't going to 16 say they do that every night or every day, 17 but at least twice or three -- two, three 18 times a week, they going to ask you your 19 name or ask you what's your -- what's your 20 number, make sure you're in the right cell, 21 stuff like that. 22 Q. And they check the ID card? 23 A. Yeah.</p>	<p style="text-align: right;">Page 100</p> <p>1 else that did it. 2 A. I mean, at least -- that go on a 3 lot. 4 Q. Okay. Well, how many times -- 5 have you done it before? 6 A. Yeah. 7 Q. Okay. 8 A. I've done it a lot. I mean, I 9 ain't no inmate that stand out, like I don't 10 be loud, calling attention, I ain't friendly 11 with the police. The police don't even know 12 me like that. If they do, they know me from 13 being young, the youngest person in the 14 prison or something, they might be like 15 teenager. But other than that, I ain't -- 16 they ain't familiar with me causing a 17 problem. 18 Q. Okay. But there were times that 19 you stayed in other dorms outside of PQ? 20 A. Yeah. 21 Q. When you were assigned to PQ? 22 A. Not H-dorm, though. 23 Q. Okay.</p>
<p style="text-align: right;">Page 99</p> <p>1 Q. Okay. 2 A. Or -- or some people might be 3 familiar with you, they might see you and 4 already know you. 5 Q. Okay. But there were times that 6 an inmate could go unnoticed? 7 A. Yeah. They might see you at the 8 bathroom, like what you doing down here, 9 man. 10 Q. So -- 11 A. Write your name down, that's a 12 write-up, and they go on and let you go, but 13 they going to write you up. 14 Q. And so how many times did you 15 experience or did that occur where inmates 16 would stay in other dorms and go unnoticed? 17 A. Since -- I mean, that probably go 18 on every day. 19 Q. How many times did you experience 20 it at St. Clair, would you say? 21 A. Now, when you say experience, you 22 mean me? 23 Q. Either you or you knowing somebody</p>	<p style="text-align: right;">Page 101</p> <p>1 A. I never slept down there, but I 2 done violated, I done went down there and 3 left. 4 Q. Okay. So -- well, let's take the 5 first part. So what dorms did you stay the 6 night in outside of PQ when you were 7 assigned to PQ? 8 A. All -- so you know, it's four 9 dorms. 10 Q. Okay. 11 A. So I ain't never lived in no other 12 dorm but P and Q. 13 Q. Okay. 14 A. But it's P1, P2. And Q1 and Q2, I 15 might be -- my assigned might be Q2, but I 16 might be across the hall. 17 Q. Okay. In like the Q1 or something 18 like that? 19 A. Yeah. 20 Q. Okay. 21 A. In the same hallway, but this 22 ain't my assigned spot. 23 Q. Okay. Good deal.</p>

<p style="text-align: right;">Page 110</p> <p>1 also wear armbands as well during your time 2 there? 3 A. I don't remember it was ID or an 4 armband. I know we had to have it to catch 5 -- catch store. 6 Q. Okay. 7 A. I think it was an ID, for real. 8 Q. Okay. But you don't recall ever 9 having an armband? 10 A. Uh-uh. Did we have an armband? 11 Hold on. I don't know whether I was at 12 Elmore or St. Clair. We had a armband. It 13 was for to notify what dorm we live in. 14 Q. Okay. 15 A. The color go for the dorm. If -- 16 I don't remember -- I don't know was it 17 Elmore or whatever. 18 Q. Okay. But you do remember having 19 an armband at some facility at some point? 20 A. Yeah, and they notify the dorm you 21 sleep in. 22 Q. Right. Did you always wear the 23 armband?</p>	<p style="text-align: right;">Page 112</p> <p>1 out of pocket means? 2 A. Yes. 3 Q. What does that mean? 4 A. Unauthorized area. 5 Q. Okay. 6 A. A place you don't supposed to be. 7 Q. So that's kind of what we were 8 talking about with inmates being in 9 different dorms, would that be considered 10 out of pocket? 11 A. Correct. 12 Q. Okay. How often would you or 13 would other inmates be out of pocket at St. 14 Clair? 15 A. I mean, I really can't speak for 16 nobody else, for real. 17 Q. In your experience, was it common 18 or was it not? 19 A. I mean, I can't -- I only speak 20 for myself. 21 Q. Okay. Okay. Well -- 22 A. I did it a few times, but the -- 23 so I don't really know about nobody else</p>
<p style="text-align: right;">Page 111</p> <p>1 A. No. Sometimes, you could take it 2 off, switch with somebody, you know. It 3 different ways you could do stuff. 4 Q. How would you say or how effective 5 did you believe the armbands were as far as 6 tracking the -- the movement of inmates? 7 A. (No response.) 8 Q. Did you -- do you believe -- 9 MS. PUTMAN: Object to form. 10 A. It helped, but I don't know, I'm a 11 convict, so I think of ways to get around 12 stuff. 13 Q. Okay. 14 A. So, I mean, some people probably, 15 you know, go by the rules, but I'm trying to 16 dodge the rule, I ain't -- I'm already in 17 jail. 18 Q. And so at St. Clair, you don't 19 remember having -- whether you had an 20 armband or whether they had that in place at 21 St. Clair? 22 A. I don't remember. 23 Q. Okay. Do you know what the phrase</p>	<p style="text-align: right;">Page 113</p> <p>1 like -- 2 Q. Did you ever experience anybody 3 being out of pocket in PQ-dorm, meaning 4 somebody that lived in another dorm was in 5 PQ? 6 A. Yeah. 7 Q. Okay. How often did that happen? 8 A. I saw -- I saw the guy that I got 9 a disciplinary on up there before. 10 Q. Okay. And did you see anybody 11 from any other dorms or maybe another inmate 12 from H-dorm, did you ever experience that as 13 well? 14 A. (Nods head.) 15 Q. How often? 16 A. A lot. Probably like a couple of 17 times, I know -- a couple of times. 18 Q. Like a couple of times a week or a 19 couple of times a month? 20 A. Yeah, at least -- at least once a 21 day, somebody going to sneak by. 22 Q. Okay. All right. Let me touch on 23 this contraband stuff for just a second. So</p>

<p style="text-align: right;">Page 114</p> <p>1 what type of, I guess -- well, first of all, 2 is -- illegal contraband, was that 3 prohibited at St. Clair as well? 4 A. You said what type? 5 Q. So my first question is contraband 6 was not allowed at St. Clair; is that 7 correct? 8 A. Correct. 9 Q. Okay. And what types of 10 contraband did you experience at St. Clair? 11 A. Phone -- phone, drugs and knives. 12 Q. Okay. Phone, drugs and knives? 13 Anything -- 14 A. That's about it. 15 Q. Anything else? 16 A. (Shakes head.) 17 Q. Okay. 18 A. Not while I was there. 19 Q. Okay. We've already been through 20 the knives. The same way that you 21 experienced at the other facilities, these 22 wee inmate knives? 23 A. Correct.</p>	<p style="text-align: right;">Page 116</p> <p>1 A. In my system? I don't think so. 2 I can't say for sure. 3 Q. Okay. Were there times where 4 inmates were actually caught like physically 5 smoking the marijuana by COs? 6 A. Not that I know of. 7 Q. Okay. 8 A. I mean -- I mean, there's people 9 who been shook down and stuff probably found 10 with it or something like that. 11 Q. Okay. And you also talked about 12 cell phones -- 13 A. Uh-huh. 14 Q. -- is that right? How many times 15 did you -- or were you caught with a cell 16 phone at St. Clair, if you recall? 17 A. Never. 18 Q. Did you ever have a cell phone at 19 St. Clair? 20 A. Yes. 21 Q. And how did you, I guess, obtain 22 the cell phone, did you buy it? 23 A. I bought it.</p>
<p style="text-align: right;">Page 115</p> <p>1 Q. And they came in all shapes and 2 sizes; is that correct? 3 A. Correct. 4 Q. Okay. What about the drugs, what 5 type of drugs would you experience at St. 6 Clair? 7 A. Marijuana, that's all I really 8 know about. 9 Q. How often were inmates caught with 10 marijuana? 11 A. I mean, they do random drug tests. 12 Q. Okay. 13 A. And if you pee dirty for 14 marijuana, you have to pay 150. 15 Q. How often did they do the random 16 drug tests? 17 A. At least every week, they going to 18 do at least 15, 20 inmates. 19 Q. Did you ever have to do a random 20 drug test at St. Clair? 21 A. Yeah. 22 Q. Were you ever caught with 23 marijuana?</p>	<p style="text-align: right;">Page 117</p> <p>1 Q. So like in the same way where we 2 talked about earlier with the knives, you 3 would buy the knives? 4 A. Either Green Dot it or something 5 like that. 6 Q. Okay. You -- 7 A. PayPal, Wal-Mart to Wal-Mart. 8 Q. And you would buy it from another 9 inmate? 10 A. (Nods head.) 11 Q. So how many times at St. Clair do 12 you think that you used a cell phone? 13 A. Every day. 14 Q. And this was a cell phone that you 15 had bought from somebody else? 16 A. Correct. 17 Q. Since you live St. -- left St. 18 Clair, have you used a cell phone? 19 A. Just at other facilities? 20 Q. Correct. 21 A. Correct. 22 Q. After St. Clair? 23 A. Correct.</p>

<p style="text-align: right;">Page 138</p> <p>1 Q. -- just at St. Clair?</p> <p>2 A. That's just prison stuff.</p> <p>3 Q. Okay. When did you become</p> <p>4 affiliated with the [REDACTED] gang?</p> <p>5 A. When I was a kid.</p> <p>6 Q. Do you remember how old you were?</p> <p>7 A. I mean, I really was raised on it,</p> <p>8 like coming up my whole life, like it's a</p> <p>9 family tradition, like it was passed on.</p> <p>10 Q. Yeah. So you had other family</p> <p>11 members that were in it as well?</p> <p>12 A. (Nods head.)</p> <p>13 Q. And then when you got to prison,</p> <p>14 were there already [REDACTED] gang members</p> <p>15 that were --</p> <p>16 A. That knew me and heard about me</p> <p>17 from being plugged in on the street.</p> <p>18 Q. Okay. So at St. Clair, there were</p> <p>19 already -- when you arrived there, there</p> <p>20 were already [REDACTED] gang members there?</p> <p>21 A. And there was a couple of people</p> <p>22 who knew I was coming before I came and all</p> <p>23 that, like --</p>	<p style="text-align: right;">Page 140</p> <p>1 problem for you?</p> <p>2 A. I feel like if you -- if you my</p> <p>3 partner, you my partner, that can't come</p> <p>4 between us.</p> <p>5 Q. Okay. So you would --</p> <p>6 A. I mean, this is what I am, but I</p> <p>7 ain't fixing to go against the grain for</p> <p>8 that. I know what's important.</p> <p>9 Q. Okay. So I guess just to clarify,</p> <p>10 so like if you were friends with somebody</p> <p>11 that wasn't in the [REDACTED] gang --</p> <p>12 A. I ain't going to look at them no</p> <p>13 different.</p> <p>14 Q. Okay.</p> <p>15 A. Like I wouldn't even -- you going</p> <p>16 to have to do something to me personally.</p> <p>17 Like that's what you is. I don't know who</p> <p>18 -- like I ain't fixing to look at you no</p> <p>19 different 'cause you ain't a [REDACTED]. You</p> <p>20 still my partner and you still my folk,</p> <p>21 whatever.</p> <p>22 Q. Were there any inmates that would</p> <p>23 not talk to you because you were in the</p>
<p style="text-align: right;">Page 139</p> <p>1 Q. So how could you tell the</p> <p>2 difference between who was in the [REDACTED]</p> <p>3 gang versus who was in the [REDACTED] or the</p> <p>4 [REDACTED]?</p> <p>5 A. By who they hung with, who they</p> <p>6 communicated with.</p> <p>7 Q. So you being in the [REDACTED]</p> <p>8 gang, you would only talk to certain people,</p> <p>9 or how did that work?</p> <p>10 A. See, I don't -- I don't take it</p> <p>11 that serious.</p> <p>12 Q. Okay.</p> <p>13 A. But you got some people who really</p> <p>14 be on that. That why they made my cellmate</p> <p>15 move away from around me.</p> <p>16 Q. Okay.</p> <p>17 A. 'Cause they really will be like if</p> <p>18 it ain't your kind or the same gang or</p> <p>19 organization as you, then you don't need to</p> <p>20 be living around -- they will try to make</p> <p>21 that a problem and try to violate them, do</p> <p>22 all that.</p> <p>23 Q. Okay. Well, why was that not a</p>	<p style="text-align: right;">Page 141</p> <p>1 [REDACTED] gang?</p> <p>2 A. Yeah. But I knew I had small</p> <p>3 time, so I ain't tripping, I'm just trying</p> <p>4 to go on, I'm just passing by.</p> <p>5 Q. Were there things that the gangs</p> <p>6 would do on behalf of, I guess, other</p> <p>7 inmates while inside the prison?</p> <p>8 A. Like?</p> <p>9 Q. So like did you have to do</p> <p>10 anything --</p> <p>11 A. For them?</p> <p>12 Q. Yeah. For another [REDACTED] gang</p> <p>13 member?</p> <p>14 A. No, not me. They probably have,</p> <p>15 but not me.</p> <p>16 Q. Okay.</p> <p>17 A. I wouldn't even put myself in that</p> <p>18 position 'cause I'm not fixing to let nobody</p> <p>19 make me do nothing I don't want to do.</p> <p>20 Q. Right. Do you know if other</p> <p>21 inmates that were part of the gangs had to</p> <p>22 do something as far as initiation process or</p> <p>23 anything on behalf of --</p>

<p style="text-align: right;">Page 142</p> <p>1 A. To show them they got a heart or 2 something? 3 Q. Right. 4 A. Probably so. I -- yeah. 5 Q. I mean, did you experience that 6 like for sure or you don't know? 7 A. I mean, I can't say. I can't 8 really speak on that. 9 Q. Okay. But you never had to do 10 anything on behalf of your gang? 11 A. No. No. 12 Q. No one ever -- another inmate 13 never requested you to do anything on behalf 14 of the gang? 15 A. Never. They always told me to get 16 my GED and go home. 17 Q. Okay. 18 A. I'm just passing by. 19 Q. Were you ever requested by a CO to 20 do anything on behalf of -- of them against 21 another inmate? 22 A. Never. 23 Q. So you said you could tell who was</p>	<p style="text-align: right;">Page 144</p> <p>1 hand signs. What about any like tattoos or 2 anything like that? 3 A. Yeah. 4 Q. So what type of tattoos would you 5 notice about somebody that was either a 6 [REDACTED] or -- 7 A. [REDACTED]. 8 Q. Okay. Is that for the [REDACTED]? 9 A. (Nods head.) 10 Q. What about for the [REDACTED]? 11 A. [REDACTED], they might have [REDACTED], 12 something like that on them. 13 Q. Is that like the number? 14 A. Yeah. 15 Q. Okay. And the [REDACTED] gang, did 16 you guys have -- 17 A. [REDACTED]. 18 Q. You had a [REDACTED]? So you 19 said the [REDACTED] had a [REDACTED]? 20 A. (Nods head.) 21 Q. And the -- your gang, the 22 [REDACTED], y'all -- y'all have a [REDACTED] 23 [REDACTED]?</p>
<p style="text-align: right;">Page 143</p> <p>1 in what gang by the way that they 2 communicated. Is there any other way that 3 you could tell who was in a gang as far as 4 either your gang or a [REDACTED] or a [REDACTED]? How 5 could you tell outside of communicating with 6 them that they were in a gang? 7 A. I mean, for real, but not for 8 real, they going to make it known, like they 9 going to be hollering on -- [REDACTED] on [REDACTED]. 10 Q. Okay. So let's talk about that. 11 So they -- would they use like hand gestures 12 to show that they were in a gang? 13 A. Uh-huh. 14 Q. Would they say different phrases 15 to show or to say that they were in a gang? 16 A. Yep. 17 Q. What type of things would they 18 say? 19 A. I'm [REDACTED], I'm [REDACTED], I'm a boss. 20 Q. Okay. And then they had, I guess, 21 the hand gestures as well? 22 A. Different type of sign. 23 Q. Yeah. Yeah. Different type of</p>	<p style="text-align: right;">Page 145</p> <p>1 A. Correct. 2 Q. You have that tattoo? 3 A. Yeah. 4 Q. Where do you have that at? 5 A. On my face. 6 Q. Okay. Good deal. So in your 7 opinion, other inmates -- well, first of 8 all, let me ask you this: Were there 9 inmates in the prison that weren't involved 10 in any gang activity at all? 11 A. Correct. 12 Q. Did you associate with them as 13 well? 14 A. Correct. 15 Q. Now, for people that were -- are 16 inmates that were not in gangs, would they, 17 I guess, be picked on or singled out by 18 people that were in gangs? 19 A. Like sometimes. But someone could 20 be on -- like they don't need protection, 21 'cause nine times out of 10, when you're in 22 a gang, you ain't going to do nothing by 23 yourself.</p>

<p style="text-align: right;">Page 194</p> <p>1 A. -- since I've been there.</p> <p>2 Q. Okay.</p> <p>3 A. So I can't say at that time,</p> <p>4 'cause I wasn't really looking for that. I</p> <p>5 ain't expect nothing to happen like that.</p> <p>6 Q. Right. And so if there were two</p> <p>7 COs sitting in these cubes right here on</p> <p>8 this diagram, they would have saw</p> <p>9 Mr. Boykins walk out?</p> <p>10 A. (Nods head.)</p> <p>11 Q. Is that correct?</p> <p>12 MS. PUTMAN: Object to form.</p> <p>13 A. Correct.</p> <p>14 Q. Okay. So just on that day,</p> <p>15 December 1st, 2017, what did you do after</p> <p>16 the incident?</p> <p>17 A. December the 1st?</p> <p>18 Q. Yes.</p> <p>19 A. I mean, I sweated. I was waiting</p> <p>20 to get the yard on or something so I could</p> <p>21 make a move.</p> <p>22 Q. When you -- when you say make a</p> <p>23 move, were you like planning to get it back?</p>	<p style="text-align: right;">Page 196</p> <p>1 A. December 1st.</p> <p>2 Q. And what was your plan that you</p> <p>3 created to go get it back?</p> <p>4 A. Either he fixing to give me my</p> <p>5 phone back or both of us going to lockup. I</p> <p>6 knew he had a knife.</p> <p>7 Q. How did you know he had a knife?</p> <p>8 On the day before or --</p> <p>9 A. 'Cause when he approached me,</p> <p>10 everybody in the jail got a knife, and the</p> <p>11 day before he approached me, he had one. So</p> <p>12 knowing if you just did this, I know you</p> <p>13 better keep your knife with you if you --</p> <p>14 can't underestimate nobody. So I just felt</p> <p>15 like -- I knew he had a knife. That's why I</p> <p>16 had two knives.</p> <p>17 Q. Did you create a specific plan,</p> <p>18 though, on December 1st as far as how you</p> <p>19 were going to get from PQ-dorm --</p> <p>20 A. Correct.</p> <p>21 Q. -- to H-dorm?</p> <p>22 A. Correct. I did.</p> <p>23 Q. Okay. And what was that plan that</p>
<p style="text-align: right;">Page 195</p> <p>1 A. Yeah.</p> <p>2 Q. The cell phone back?</p> <p>3 A. I was determined either we was</p> <p>4 fixing to get it back or both of us fixing</p> <p>5 to go to lockup.</p> <p>6 Q. And by lockup, what do you mean?</p> <p>7 A. Solitary confinement, isolation.</p> <p>8 'Cause your reputation -- if I let the man</p> <p>9 take my phone, everybody going to think I'm</p> <p>10 sweet, everybody going to be trying then, I</p> <p>11 ain't going to be able to have nothing.</p> <p>12 Q. Okay. So let's move on to the</p> <p>13 next day, okay?</p> <p>14 A. December 2nd?</p> <p>15 Q. December 2nd, 2017. You're not --</p> <p>16 are you good on bathroom, are you good?</p> <p>17 A. I'm good.</p> <p>18 Q. Okay.</p> <p>19 A. We can keep going.</p> <p>20 Q. Let's move on to the next day,</p> <p>21 December 2nd, 2017. First of all, when did</p> <p>22 you plan to go down and -- and try and get</p> <p>23 the phone back?</p>	<p style="text-align: right;">Page 197</p> <p>1 you created on December 1st?</p> <p>2 A. Put a skull cap on, put on a</p> <p>3 couple of jackets, so when he stab me, it</p> <p>4 won't really go through, it will slow it</p> <p>5 down, but -- and I always look like I'm</p> <p>6 bigger than what I am. When I go in there,</p> <p>7 I'm going to go in there like I'm real cold,</p> <p>8 with a towel around my neck. That's how I</p> <p>9 made it passed the police with a skull cap</p> <p>10 on.</p> <p>11 Q. Okay. And where did you get the</p> <p>12 jackets from?</p> <p>13 A. I mean, they give you one and my</p> <p>14 -- a brother.</p> <p>15 Q. Another one you got from where?</p> <p>16 I'm sorry.</p> <p>17 A. My brother.</p> <p>18 Q. Okay.</p> <p>19 A. Like a [REDACTED].</p> <p>20 Q. Okay.</p> <p>21 A. I laced them up before I did that</p> <p>22 so they wouldn't be in the blind.</p> <p>23 Q. Okay. So yeah, that was going to</p>

<p style="text-align: right;">Page 218</p> <p>1 Q. Did he ask to search you?</p> <p>2 A. Uh-uh. He didn't even say nothing</p> <p>3 to me. I guess he thought I --</p> <p>4 Q. He didn't say anything to you at</p> <p>5 all?</p> <p>6 A. I guess he thought I stayed down</p> <p>7 there.</p> <p>8 Q. Had he -- had he seen you before?</p> <p>9 A. I mean, I can't say I -- he</p> <p>10 probably recog -- nine times out of 10, he</p> <p>11 ain't recognize me.</p> <p>12 Q. Okay. And why do you believe he</p> <p>13 did not recognize you?</p> <p>14 A. 'Cause he would have said</p> <p>15 something. That man don't play, the officer</p> <p>16 that was down there, the old man.</p> <p>17 Q. Oh, so you saw him before?</p> <p>18 A. Yeah, like --</p> <p>19 Q. Do you remember who he was?</p> <p>20 A. I mean, let me see.</p> <p>21 Q. Does Officer Walker sound</p> <p>22 familiar?</p> <p>23 A. Yeah. Old man, fat, heavysset.</p>	<p style="text-align: right;">Page 220</p> <p>1 you had seen Officer Walker there?</p> <p>2 A. No, not for real.</p> <p>3 Q. But you had seen him before?</p> <p>4 A. At H-dorm?</p> <p>5 Q. Yes.</p> <p>6 A. I mean, I don't know. I can't</p> <p>7 really say.</p> <p>8 Q. Okay.</p> <p>9 A. Like I --</p> <p>10 Q. Where else -- where else did you</p> <p>11 see him?</p> <p>12 A. I know I saw him on G-dorm before,</p> <p>13 up there with me.</p> <p>14 Q. Okay.</p> <p>15 A. And I think I saw him standing by</p> <p>16 -- he was standing in the middle of the</p> <p>17 walkway. But I try to avoid the police. I</p> <p>18 don't even -- I can't really say for real,</p> <p>19 can't speak on that.</p> <p>20 Q. Did he ever -- was he ever on post</p> <p>21 at PQ?</p> <p>22 A. But I know he's strict, that's all</p> <p>23 I know.</p>
<p style="text-align: right;">Page 219</p> <p>1 Q. Yeah, describe his physical</p> <p>2 features for me, if you don't mind?</p> <p>3 A. Brown skin with glasses, weigh</p> <p>4 about 250, 300, short.</p> <p>5 Q. And on the times that you would</p> <p>6 hang out at H-dorm before this incident</p> <p>7 happened, was he typically the CO that was</p> <p>8 down there?</p> <p>9 A. Uh-uh. It be different ones.</p> <p>10 Q. Okay. How many other different</p> <p>11 correctional officers did you see at H-dorm</p> <p>12 when you were down there?</p> <p>13 A. I can't say for sure. I don't</p> <p>14 really remember.</p> <p>15 Q. But it was more than one?</p> <p>16 A. I know they don't never work the</p> <p>17 same shift every day.</p> <p>18 Q. Right. And so it was more than</p> <p>19 one --</p> <p>20 A. Yeah.</p> <p>21 Q. -- that you had seen at H-dorm?</p> <p>22 A. I can't really say.</p> <p>23 Q. Okay. Can you say how many times</p>	<p style="text-align: right;">Page 221</p> <p>1 Q. Okay. Was he ever on post at PQ</p> <p>2 for your dorm?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. How often did you see him</p> <p>5 up there, if you can recall?</p> <p>6 A. I can't say.</p> <p>7 Q. Okay. So you went inside of</p> <p>8 H-dorm and, again, Officer Walker didn't say</p> <p>9 anything to you?</p> <p>10 A. I walked straight past him.</p> <p>11 Q. You walked straight past him?</p> <p>12 A. (Nods head.)</p> <p>13 Q. Did he try and search you at all?</p> <p>14 A. No.</p> <p>15 Q. And do you know if there were any</p> <p>16 cameras like inside of H-dorm at the time?</p> <p>17 A. I can't speak on it. I don't</p> <p>18 know.</p> <p>19 Q. Okay. So what did you do when you</p> <p>20 got -- or after you got inside and walked</p> <p>21 past the correctional officer?</p> <p>22 A. Pulled up on my brother.</p> <p>23 Q. Where was he at on this diagram</p>

<p style="text-align: right;">Page 278</p> <p>1 A. Uh-uh.</p> <p>2 Q. Did you -- were you able to get</p> <p>3 the phone back?</p> <p>4 A. Yep.</p> <p>5 Q. When did you get the phone back?</p> <p>6 A. Like seven days after, they sent</p> <p>7 it back there to me in lockup.</p> <p>8 Q. Who sent it back there to you?</p> <p>9 A. [REDACTED]</p> <p>10 Q. Oh, one of your -- one of your</p> <p>11 brothers?</p> <p>12 A. [REDACTED]</p> <p>13 Q. [REDACTED]? Oh, the one that you slid</p> <p>14 it to?</p> <p>15 A. Uh-huh.</p> <p>16 Q. So you had the phone while you</p> <p>17 were --</p> <p>18 A. I had to pay \$150 to get it back</p> <p>19 there.</p> <p>20 Q. Okay. But you had it while you</p> <p>21 were in restrictive housing?</p> <p>22 A. I got it back, for sure.</p> <p>23 Q. Okay. Now, restrictive housing,</p>	<p style="text-align: right;">Page 280</p> <p>1 that correct?</p> <p>2 A. Correct.</p> <p>3 Q. When would they use the metal</p> <p>4 detector wands while you were there?</p> <p>5 A. Like if you spec -- like -- like</p> <p>6 say if they feel like you somewhere you</p> <p>7 don't supposed to be, they'll tell you get</p> <p>8 on the wall, man.</p> <p>9 Q. Okay.</p> <p>10 A. Or if you hot, if you be walking</p> <p>11 around eyes red, high, stumbling, come on,</p> <p>12 man, what you got going on, man.</p> <p>13 Q. Yeah.</p> <p>14 A. They'll pull you over and see</p> <p>15 what's going on.</p> <p>16 Q. How many times did you get wanded</p> <p>17 by a metal detector while you were at St.</p> <p>18 Clair?</p> <p>19 A. Not that many, for real, 'cause</p> <p>20 they look at me as a youngster, like they</p> <p>21 don't expect the stuff that I do.</p> <p>22 Q. Okay. Did you ever see -- first</p> <p>23 of all, was there a fence around H-dorm when</p>
<p style="text-align: right;">Page 279</p> <p>1 what kind of, I guess, security is up there?</p> <p>2 A. Every -- I mean, you in a cell,</p> <p>3 police come by every hour.</p> <p>4 Q. Do you get searched every day?</p> <p>5 A. Uh-uh. They ain't going to bother</p> <p>6 you if you don't bother them. If you ain't</p> <p>7 (inaudible) and kicking no door, if you just</p> <p>8 doing your time, then they going to let you</p> <p>9 do your time.</p> <p>10 Q. So were you able to use your cell</p> <p>11 phone throughout the time you were in</p> <p>12 restrictive housing?</p> <p>13 A. Uh-huh. Yeah. And I had a</p> <p>14 charger too.</p> <p>15 Q. Was there ever a cell -- cell</p> <p>16 search or anything like that?</p> <p>17 A. I had a hiding spot.</p> <p>18 Q. Okay. So you had a hiding spot?</p> <p>19 A. (Nods head.)</p> <p>20 Q. Okay. So let me ask you this: I</p> <p>21 know you said there were some like metal</p> <p>22 detector wands that were there when you got</p> <p>23 there that they used every now and then; is</p>	<p style="text-align: right;">Page 281</p> <p>1 you got there to St. Clair, like the first</p> <p>2 time you arrived at St. Clair?</p> <p>3 A. I think -- I don't know, for real.</p> <p>4 I know they were put -- they put them up</p> <p>5 since I -- when I got transferred, they put</p> <p>6 a lot of gates up to segregate a lot of</p> <p>7 stuff from happening.</p> <p>8 Q. Okay. But when -- so during this</p> <p>9 incident --</p> <p>10 A. I don't --</p> <p>11 Q. -- did you have to go through a</p> <p>12 fence?</p> <p>13 A. I went through a tunnel.</p> <p>14 Q. Okay.</p> <p>15 A. Like a door.</p> <p>16 Q. Yeah.</p> <p>17 A. But it led to out -- I went</p> <p>18 through a tunnel and then I was back</p> <p>19 outside, then I walked to H-dorm down the</p> <p>20 little sidewalk.</p> <p>21 Q. Okay. Do you know if they ever</p> <p>22 fixed the cameras or whatnot that you said</p> <p>23 were broken in St. Clair?</p>

EXHIBIT 6



ROBERT BENTLEY
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JEFFERSON S DUNN
COMMISSIONER

February 13, 2017

VIDEO SURVEILLANCE

I. GENERAL

This St. Clair Correctional Facility Institutional Standard Operating Procedure (SOP) establishes the responsibilities, policies, and procedures to provide guidelines for Video Surveillance.

II. POLICY

It is the policy of St. Clair Correctional Facility to establish standard procedures for viewing, recording, maintaining and appropriate use of video surveillance systems. The camera placement, sight lines and camera capabilities are considered confidential security safety information.

III. DEFINITIONS AND ACRONYM(S)

- A. Downloading: Electronic transfer of video to a viewable file.
- B. Export: Electronic transfer of video to the hard drive and archiving to the [REDACTED].
- C. Fixed Camera: A camera that has a set defined range of vision.
- D. Presets: Initial placement of camera angles, alarm sets, and the focal points the camera should return to once a specific focus is completed.
- E. Privacy Blocks: Shaded areas on the video surveillance monitors used to create privacy screens for specific areas to prevent viewing (such as showers and bathrooms).
- F. PTZ: Refers to the camera that allows the operator to pan, tilt, and zoom.
- G. Scheduling: Retention schedule for length of storage and recall capabilities.
- H. Surveillance Area: The area of the institution where authorized personnel view, maintain, and control video surveillance.

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- I. Video Surveillance Administrator: A employee of ADOC authorized by the Warden to provide network support and maintenance of computer hardware and software systems that support the video surveillance system.
- J. Video Surveillance Operator: An employee of ADOC authorized by the Warden to monitor the Video Surveillance System.

IV. RESPONSIBILITIES

- A. The Warden shall be responsible for:
 - 1. Ensuring that this Standard Operating Procedure is enforced at all times.
 - 2. Approving assigned user roles/access for applicable ADOC personnel.
 - 3. Reviewing and approving camera settings and placements.
- B. The Captain shall be responsible for:
 - 1. Ensuring the surveillance areas are properly staffed and secure from unauthorized viewers.
 - 2. Approved exporting and downloading to the [REDACTED] when necessary.
 - 3. Overall operations of the video surveillance system.
 - 4. Ensuring maintenance of all cameras and other video surveillance equipment is completed as needed.
 - 5. Reporting maintenance problems to the Warden when necessary so system can be fixed immediately.
- C. Video surveillance operators shall be responsible for:
 - 1. Monitoring activity inside and outside the secure facility by viewing the Video Surveillance System on a consistent basis.
 - 2. Reporting serious, suspicious and unusual incidents to the Shift Commander.

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3. Completing incident reports as instructed by the Shift Commander and when necessary.
 4. Maintaining a Duty Post Log of all activity during a shift, (on posts designated to maintain logs.)
- E. The Shift Commander shall be responsible for:
1. Monitoring the video surveillance operators for policy compliance.
 2. Investigating all reported incidents from the video surveillance operators.
 3. Reporting any malfunctioning video surveillance equipment to the video surveillance administrator.

V. PROCEDURES

- A. Video Surveillance Monitoring:
1. When installing or updating a video monitoring system, consideration will be given to how such technology will enhance the overall security and the ability to protect inmates for sexual abuse (PREA §115.13).
 2. Video Surveillance Monitors are preset and shall not be adjusted unless authorized by the Warden.
 3. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
 - a. Video surveillance monitors located [REDACTED]
[REDACTED]
[REDACTED]
 - b. Surveillance areas shall be staffed 24 hours a day / 7 days a week. Video Surveillance Officers will be correctional cubicle operators, correctional officers or supervisors.
 - c. Correctional cubicle operators and officers shall not leave their assigned post without being properly relieved by authorized persons.
 4. Any video down loaded from the system shall be limited to the following staff members unless authorization is granted by the Warden:

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- a. Institutional PREA Compliance Manager
 - b. Shift Commander
 - c. Captain or above
5. Under no circumstances shall an inmate be allowed to access video equipment.
6. Central Control operators, correctional cubicle operators and officers shall immediately report all suspicious activity, major and / or serious incidents to the Shift Commander that's viewed on surveillance monitor. Posts requiring a Duty Post Log will log all such incidents.
7. Any person who tampers with or destroys video surveillance equipment shall be subject to criminal prosecution and / or disciplinary action.
8. Any unauthorized viewing or use of video surveillance equipment by an employee shall result in formal disciplinary action or termination, as outlined in Administrative Regulation 208-Employee Standards of Conduct and Discipline. Criminal prosecution will be sought for offenses involving a violation of state law.
9. Any malfunction of cameras or monitors must be reported immediately to the Shift Commander and a maintenance request completed and submitted to a Captain or above.
- B. Retention Schedule:
 1. Captains shall ensure surveillance footage of all Class A incidents is downloaded to the [REDACTED]
 2. No recorded video shall be removed from the facility without approval from the Warden.
 3. Video exports of Class A incident reviews shall be recorded five minutes before and five minutes after the incident.

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4. The Shift Commander/Investigator/Other will provide the Captain or above with specific information relative to the incident which includes the time, date and location of the incident being downloaded.
 5. All video images reviewed as part of an official investigation or administrative process, including but not limited to the use of force review process, inmate disciplinary process, PREA investigation process, employee disciplinary process, etc., shall be maintained for review.
 6. In the course of reviewing incidents of a sexual abuse, the Sexual Abuse Incident Review Committee shall address how the incident happened, who was involved, when and where it occurred, and implications moving forward. The team shall also assess whether monitoring technology should be implemented or increased to supplement staff supervision (PREA §115.86).
- C. Requests for viewing/public information requests for surveillance recordings:
1. Inmates will not be allowed to view video recording of evidence used in disciplinary hearings. The video recording may be discussed during the hearing; however the inmate is prohibited from viewing the video for security and safety reasons.
 2. Video images from incidents with training value may be used during training sessions upon Wardens approval.
 3. Under no circumstances will recordings involving criminal investigations, administrative investigations, inmate discipline, or serious incident reviews be released to the media unless approved by the Commissioner.
 4. All stored video images are considered confidential and anyone that has access shall not allow unauthorized viewing or recording.
 5. The Captain and/or Warden's designee shall be allowed to view downloaded and/or exported images for incident reviews.
- D. Camera Maintenance:
1. Any camera or other part of the video surveillance system found inoperable by a correctional cubicle operator or officer shall be reported to the Shift Commander and Captain.

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2. The camera system shall be assessed at least annually to determine if a need exists for new or additional monitoring technology and to develop a plan for securing such technology if needed (PREA §115.13).

E. PREA Considerations:

1. The Video Surveillance System is employed as a tool to prevent incidents and assist in investigations of alleged incidents (PREA §115.13).
2. When planning, adding or designing any substantial expansion or modification of existing housing units or buildings, the effect of the design, acquisition, expansion or modification upon a building shall be considered and the ability to protect inmates from sexual abuse (PREA §115.18).
3. When updating the video monitoring system or adding additional cameras, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse (PREA §115.18).

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA)

VII. SUPERCEDES

This is a new Standard Operating Procedure and does not supersede any other Standard Operating Procedure.

VIII. PERFORMANCE

Administrative Regulation 454, Sexual Assault and Harassment Awareness (PREA)

Dewayne Estes, Warden III

Date

EXHIBIT 7

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Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ALABAMA
3 MIDDLE DIVISION
4

5 CASE NUMBER: 4:19-CV-01934-ACA
6

7 AUNDRA DEBREL BOYKINS,

8 Plaintiff,

9 vs.

10 JEFFERSON DUNN, et al.,

11 Defendants.

12 S T I P U L A T I O N

13 IT IS STIPULATED AND AGREED,
14 by and between the parties through their
15 respective counsel, that the deposition of
16 GUY NOE may be taken before Michelle L.
17 Parvin, Commissioner, at the offices of
18 Maynard, Cooper & Gale, 1901 Sixth Avenue
19 North, Suite 1700, Birmingham, Alabama, 35203,
20 on the 2nd day of August, 2022, at 9:35 a.m.

21 IT IS FURTHER STIPULATED AND
22 AGREED that the signature to and the reading
23 of the deposition by the witness is waived,

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<p style="text-align: right;">Page 2</p> <p>1 the deposition to have the same force and 2 effect as if full compliance had been had 3 with all laws and rules of Court relating to 4 the taking of depositions. 5 IT IS FURTHER STIPULATED AND 6 AGREED that it shall not be necessary for any 7 objections to be made by counsel to any 8 questions, except as to form or leading 9 questions, and that counsel for the parties 10 may make objections and assign grounds at the 11 time of trial, or at the time said deposition 12 is offered in evidence, or prior thereto. 13 IT IS FURTHER STIPULATED AND 14 AGREED that notice of filing of the 15 deposition by the Commissioner is waived. 16 17 18 19 20 21 22 23</p>	<p style="text-align: right;">Page 4</p> <p>1 Monthly Statistical Report for December 2 2017 3 Exhibit 7 140 4 St. Clair Correctional Facility 5 schematic 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>
<p style="text-align: right;">Page 3</p> <p>1 I N D E X 2 3 EXAMINATION BY: PAGE NUMBER: 4 Mr. Blakesleay 10 5 6 DEFENDANT'S EXHIBITS: 7 Exhibit 1 14 8 Plaintiff's Fourth Amended Complaint 9 Exhibit 2 34 10 Investigation of Alabama's State 11 Prisons For Men April 2, 2019 12 Exhibit 3 43 13 Alabama Department of Corrections 14 Monthly Statistical Report for May 2022 15 Exhibit 4 43 16 Alabama Department of Corrections 17 Monthly Statistical Report for December 18 2021 19 Exhibit 5 55 20 Alabama Department of Corrections 21 Administrative Regulation Number 212 22 Exhibit 6 94 23 Alabama Department of Corrections</p>	<p style="text-align: right;">Page 5</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF ALABAMA 3 MIDDLE DIVISION 4 5 CASE NUMBER: 4:19-CV-01934-ACA 6 7 AUNDRA DEBREL BOYKINS, 8 Plaintiff, 9 vs. 10 JEFFERSON DUNN, et al., 11 Defendants. 12 13 BEFORE: 14 Michelle L. Parvin, Certified 15 Court Reporter 16 APPEARANCES: 17 DENTONS SIROTE by Mr. R. Terrell 18 Blakesleay and Mr. J.S. "Chris" Christie, 19 2311 Highland Avenue, Birmingham, Alabama, 20 35203, appearing on behalf of the Plaintiff. 21 AKIN, GUMP, STRAUSS, HAUER & 22 FIELD, LLP, by Ms. Jennifer L. Garrett, One 23 Bryant Park, Bank of America Tower, New York,</p>

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<p style="text-align: right;">Page 6</p> <p>1 New York, 10036, appearing on behalf of the 2 Plaintiff. 3 MAYNARD, COOPER & GALE by Mr. 4 Matthew B. Reeves, 305 Church Street, SW, 5 Suite 800, Huntsville, Alabama, 35801, 6 appearing on behalf of the Defendants. 7 ALABAMA ATTORNEY GENERAL by Ms. 8 Peggy Rossmanith, 501 Washington Avenue, 9 Montgomery, Alabama, 36104, appearing on 10 behalf of the Defendants. 11 MAYNARD, COOPER & GALE by Ms. 12 Ellie Putman, 1901 Sixth Avenue North, Suite 13 100, Birmingham, Alabama, 35203, appearing on 14 behalf of the Defendants. 15 16 Also Present: 17 Ted Yost-Videographer 18 19 20 21 22 23</p>	<p style="text-align: right;">Page 8</p> <p>1 1901 Sixth Avenue North, Suite 1700, 2 Birmingham, Alabama. My name is Ted Yost 3 representing Veritext, and I'm the 4 videographer. The court reporter is Michelle 5 Parvin from the firm Veritext. 6 At this time, counsel and all 7 present will now state their appearance and 8 affiliations for the record. 9 MR. BLAKESLEAY: Terrell 10 Blakesleay here for the plaintiff. 11 MR. CHRISTIE: Chris Christie 12 representing plaintiff. 13 MR. REEVES: Matt Reeves here on 14 behalf of defendants Jefferson Dunn, Guy Noe, 15 and Dwayne Estes. 16 THE WITNESS: Guy Noe, Warden 3, 17 St. Clair Correctional Facility. 18 THE VIDEOGRAPHER: Will the 19 reporter please swear in the witness? 20 MS. GARRETT: Oh, sorry. We 21 have -- we have two other -- can you hear us? 22 MR. REEVES: Yes. 23 MS. GARRETT: You can? Okay.</p>
<p style="text-align: right;">Page 7</p> <p>1 I, Michelle L. Parvin, a Court 2 Reporter of Birmingham, Alabama, acting as 3 Commissioner, certify that on this date, as 4 provided by the Alabama Rules of Civil 5 Procedure and the foregoing stipulation of 6 counsel, there came before me at 1901 Sixth 7 Avenue North, Suite 1700, Birmingham, 8 Alabama, 35203, beginning at 9:35 a.m., GUY 9 NOE, witness in the above cause, for oral 10 examination, whereupon the following 11 proceedings were had: 12 13 THE VIDEOGRAPHER: Good morning. 14 We are going on the record at 9:35 a.m. on 15 August 2nd, 2022. This is Media Unit 1 of 16 the video-recorded deposition of Warden Guy 17 Noe taken by counsel for plaintiff in the 18 matter of Aundra Debrel Boykins versus 19 Jefferson Dunn, et al., filed in the United 20 States District Court For The Northern 21 District of Alabama, Middle Division, Case 22 Number 4:19-CV-01934-ACA. 23 The location of the deposition is</p>	<p style="text-align: right;">Page 9</p> <p>1 This is Jennifer Garrett also for plaintiff 2 with Akins, Gump, Strauss, Hauer & Field. 3 But I believe Peggy was also trying to make 4 an appearance, but it's on mute. 5 You're still on mute. 6 MS. ROSSMANITH: There we go. 7 Sorry. Thank you. This -- this is Peggy 8 Rossmanith here on behalf of defendant Mark 9 Walker. 10 MR. CHRISTIE: So, is Ellie 11 Putman not participating? 12 MR. REEVES: She is. I believe 13 she's on by phone. I don't know if she can 14 come off mute or not. Actually, there she 15 is. 16 MS. PUTMAN: Yes. I'm Ellie 17 Putman appearing on behalf of Warden Noe. 18 MS. GARRETT: And I'll just state 19 for the record that my colleague, Jessica 20 Rowe, for plaintiff is on the line. She's 21 not appeared in this section. 22 THE VIDEOGRAPHER: Would the 23 reporter please swear in the witness?</p>

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<p style="text-align: right;">Page 38</p> <p>1 with all the new officers and getting by 2 and -- and the main purpose of that was to 3 get them to stay and get them -- get them 4 part of our team. 5 Q. Okay. First of all, what's an 6 OJT program? 7 A. On-the-job training. We extended 8 it. We had an on-the-job training program, 9 but what we did is, we created a field 10 training officer who oversees their process 11 for up to ninety days. 12 Q. Now, why did you, I guess, 13 believe that staffing or recruiting would 14 help resolve some of the -- the violence 15 issues that were happening at St. Clair? 16 A. That's at any facility. You get 17 boots on the ground, you know, you've got -- 18 you -- you're covering places that officer 19 presence is a -- is a dig deterrent. 20 Q. And how did you know that 21 staffing or recruiting was an issue at St. 22 Clair when you became warden? 23 A. You can tell by -- you can just</p>	<p style="text-align: right;">Page 40</p> <p>1 attempts to increase staffing statewide. 2 Q. Okay. So, when you got to St. 3 Clair, were all your staffing positions 4 filled? 5 A. No, sir. 6 Q. How many were vacant when you got 7 there? 8 MR. REEVES: Object to the form. 9 A. I can't give you a -- an accurate 10 number on that. I wouldn't -- I didn't 11 recollect it back at that time exactly what 12 our staffing levels were at that time. 13 Q. (BY MR. BLAKESLEAY) Okay. What 14 about the correctional officers specifically? 15 A. Again, I couldn't give you an 16 accurate number. I -- it would be a -- a 17 guess. 18 Q. Do you recall how many you've 19 hired since you've been there? 20 A. I can say not -- not specific 21 number, but I can say it's been -- it's 22 been -- it's been a lot. 23 Q. Okay. What's a lot? Is that</p>
<p style="text-align: right;">Page 39</p> <p>1 tell by the officers you've got, you know, 2 that's assigned to the facility. They -- 3 they needed more officers. 4 Q. Okay. Is there any report or 5 memo or any correspondence that you made 6 regarding your staffing needs? 7 A. At St. Clair? 8 Q. Correct. 9 A. Can you be a little more specific 10 on what you -- on what you're talking about? 11 Q. So, how did you recommend that 12 you needed more staff at St. Clair when you, 13 I guess, found out that it was an issue? 14 A. It -- it -- it's not just me that 15 found out it the issue. It was the State of 16 Alabama. They knew that this is a issue. 17 They hired a firm -- I'm trying to think of 18 the name of the firm -- who did -- Warren 19 Averett did a staffing analysis. They 20 started recruiting for the state. They 21 started a state -- they had a state -- they 22 hired state recruiters. They advertised on 23 TV. They advertised on radio and made</p>	<p style="text-align: right;">Page 41</p> <p>1 five, is that ten? 2 A. Probably fifty. 3 Q. And this is correctional 4 officers? 5 A. Correctional officers, basic 6 correctional officers, lieutenants, 7 sergeants, captains, from the top all the way 8 down. 9 Q. Okay. And so, what's 10 contributing, I guess, to -- is there a 11 turnover rate problem or why is there such a 12 need for you to have hired that many? 13 MR. REEVES: Object to the form. 14 A. I can't answer that before I got 15 there. There's not been a turnover issue 16 since I've been there. 17 Q. (BY MR. BLAKESLEAY) Okay. So, 18 there have been no people -- correctional 19 officers that have quit or anything like 20 that? 21 A. There has been some that's quit 22 and there has been some that's been -- that's 23 been terminated. But for the most part,</p>

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<p style="text-align: right;">Page 46</p> <p>1 Q. -- maxed out?</p> <p>2 MR. REEVES: Objection to form.</p> <p>3 Q. (BY MR. BLAKESLEAY) So, how does</p> <p>4 that affect, I guess, your ability, or your</p> <p>5 CO's ability to properly supervise and secure</p> <p>6 and things of that nature?</p> <p>7 MR. REEVES: Object to the form.</p> <p>8 A. So, as a process in general, you</p> <p>9 know, from intake all the way into our</p> <p>10 general population, we have gotten an</p> <p>11 increase in number due to the decommission,</p> <p>12 but we've maintained about -- vary some on</p> <p>13 the -- on the -- the violence levels from</p> <p>14 then to now. The difference is is we do</p> <p>15 got -- we've got better supervisors, we've</p> <p>16 got more supervisors, and we're working on</p> <p>17 improving the staffing, which helps manage</p> <p>18 these housing units.</p> <p>19 Q. (BY MR. BLAKESLEAY) Okay. So,</p> <p>20 by working on improving the staffing, what do</p> <p>21 you mean by that?</p> <p>22 A. Recruiting. Recruiting,</p> <p>23 recruiting, recruiting, getting officers in.</p>	<p style="text-align: right;">Page 48</p> <p>1 question again. I'm not quite getting what</p> <p>2 you're -- what you're asking.</p> <p>3 MR. BLAKESLEAY: Can you read it</p> <p>4 back to him if you don't mind?</p> <p>5</p> <p>6 (Whereupon, the desired portion</p> <p>7 of the testimony was read back by</p> <p>8 the court reporter.)</p> <p>9</p> <p>10 MR. REEVES: Object to the form.</p> <p>11 A. Not -- not at this time with --</p> <p>12 with that -- that amount of increase, it does</p> <p>13 not affect it.</p> <p>14 Q. (BY MR. BLAKESLEAY) And why do</p> <p>15 you think that is?</p> <p>16 A. Because I think that with what</p> <p>17 we've got going on, decrease of -- of our</p> <p>18 programs, increasing of our drug treatment,</p> <p>19 they've got stuff to do. And we're trying to</p> <p>20 keep them in a routine. And that's every</p> <p>21 day. That's not just because we get an extra</p> <p>22 load of inmates in. We have them on a</p> <p>23 program. We have them on a routine.</p>
<p style="text-align: right;">Page 47</p> <p>1 If you go out in front of St. Clair, you'll</p> <p>2 see a sign that says St. Clair is hiring. I</p> <p>3 carry around cards in my pocket that --</p> <p>4 that -- that will link you to a email for</p> <p>5 questions, and it'll also give you a direct</p> <p>6 line to me if you're interested in employment</p> <p>7 at St. Clair.</p> <p>8 Q. Okay. And how does the over</p> <p>9 capacity affect, like, the inmates' movement,</p> <p>10 uncontrolled movement within the prison?</p> <p>11 MR. REEVES: Object to the form.</p> <p>12 A. Basically, the movement in the</p> <p>13 prison is a direct reflection of -- of what</p> <p>14 happened that day. And so, you know, we --</p> <p>15 be a little bit more specific. I'm not</p> <p>16 exactly sure what you're asking. I'm kind of</p> <p>17 going left field on this one.</p> <p>18 Q. (BY MR. BLAKESLEAY) So, does the</p> <p>19 fact that you're over, you know, capacity at</p> <p>20 St. Clair, does that have any effect on</p> <p>21 inmate movement within the prison?</p> <p>22 MR. REEVES: Object to the form.</p> <p>23 A. So, what you're ask -- ask the</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Okay. Now, you said not at this</p> <p>2 time. So, I guess, do you see it being a</p> <p>3 problem in the future?</p> <p>4 MR. REEVES: Object to the form.</p> <p>5 A. I can't answer that. It's a lot</p> <p>6 more factors than -- than just this.</p> <p>7 Q. (BY MR. BLAKESLEAY) Okay. What</p> <p>8 about the ability to actually house these</p> <p>9 inmates; I mean, if you're over capacity, how</p> <p>10 are you housing these extra inmates that you</p> <p>11 have to take in?</p> <p>12 MR. REEVES: Object to the form.</p> <p>13 A. So, I know that when I -- when I</p> <p>14 got there, there was some areas that were</p> <p>15 being repurposed, redone. Nine eighty-four</p> <p>16 was the number on this capacity. There's</p> <p>17 always -- we've always had empty beds. We've</p> <p>18 not had, since I've been there, been full to</p> <p>19 what they -- what they had -- what beds they</p> <p>20 had slotted if that's makes any sense.</p> <p>21 Q. (BY MR. BLAKESLEAY) Okay. So,</p> <p>22 you're saying that every inmate has a bed?</p> <p>23 A. Yes, sir.</p>

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<p style="text-align: right;">Page 70</p> <p>1 For example, like, are they ever called, 2 like, shanks or anything like that? 3 A. Of course. 4 Q. Okay. Are there any other names 5 that you associate with those or -- 6 A. Shanks, knives, stickers. 7 Q. Anything else? 8 A. Not that I can think of. I'm 9 sure there is. 10 Q. Good deal. So, is there a -- a 11 policy regarding, I guess, search protocol or 12 checking or pat-downs, things of that nature, 13 cell searches? 14 A. There is a policy on -- on 15 searches, yes. 16 Q. Okay. Can you sort of break it 17 down for me, what that policy is? 18 A. Not off the top of my head, I 19 can't. 20 Q. Okay. Did you implement a policy 21 when you came in as warden regarding 22 searches? 23 A. I think I have a -- I think I</p>	<p style="text-align: right;">Page 72</p> <p>1 updated, yes. 2 Q. Okay. And I'll get with you 3 about that, if there's any on-paper policy 4 that I can look at regarding anything you've 5 implemented as far as procedure-wise with 6 doing any searches. But there is 7 procedure -- there are procedures in place; 8 is that what you're saying? 9 A. Yes, sir. 10 Q. Okay. So, I guess, can you sort 11 of break down what -- or let's just start 12 here. What kind of shakedowns do you guys do 13 at St. Clair with the inmates? 14 A. So, like I said, two -- two 15 days -- or two weeks out of the -- out of the 16 month, we have CERT support. They come in 17 and I brief them first thing in the morning. 18 Randomly, we pick out different dorms, 19 different areas that we go and we conduct 20 searches on. Occasionally, I'll get tips, 21 and we'll do searches in that area. The 22 Warden 2 also communicates with them and 23 gives them -- gives them stuff to search.</p>
<p style="text-align: right;">Page 71</p> <p>1 have. I'm not a million percent sure that I 2 have an SOP on searches. I've also 3 implemented, you know, camera systems, metal 4 detectors, handhelds in certain areas, you 5 know, during chow, when you're coming off the 6 yard, to -- to detour and -- and eliminate 7 the -- the movement and the possession of 8 contraband. 9 Q. And you say you think you've 10 created a policy with that. Is that, I 11 guess, on paper? 12 A. Yes. The SOP would be on -- the 13 SOP that -- that I think is done is -- is on 14 paper. 15 Q. And how accessible is that for 16 you? 17 A. How accessible? 18 Q. Yeah, like, for -- 19 A. For me or for my officers or 20 for -- 21 Q. So, if I wanted to look at it, 22 like, would you be able to get that to me? 23 A. If it's one of the ones I've</p>	<p style="text-align: right;">Page 73</p> <p>1 That's not their only job while they're 2 there. They're also there to -- to help with 3 the security. 4 Q. And how often are they there? 5 A. Right now, they're there two 6 weeks out of the month. 7 Q. And by two weeks, do you mean -- 8 is that Monday through Friday or is that 9 Sunday -- 10 A. Monday through -- Monday through 11 Friday. 12 Q. Okay. And who's a part of the 13 search support team? 14 A. Talking about as in -- more 15 specific on what you're talking about? 16 Q. So, you said there are people 17 that -- from search support that come in 18 to -- 19 A. So, it's -- it's different teams. 20 This -- this -- this rotation, I think 21 we're -- got the north central team. 22 Sometimes we'll get the southern team, the 23 northern team, the south central team, the --</p>

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<p style="text-align: right;">Page 82</p> <p>1 searches are done only incident related. We 2 don't do a -- a lot of strip searches. When 3 we go into a -- if we were going to search a 4 cell, we would do a strip search of the 5 inmate. If we were looking for something, we 6 would do a strip search of the inmate. If we 7 thought he had something on him, we would do 8 a strip search of the inmate. But a lot of 9 our metal detectors -- if -- if you -- if a 10 metal detector goes off, we're going to do a 11 strip search. 12 Q. And then, what about the cell 13 searches? You mentioned those as well. 14 A. Cell searches, you know, in -- 15 you know, daily, we go through there and -- 16 and -- to -- to get them in compliance and 17 to -- to get their areas -- to get them up 18 and get their areas clean and -- you know, 19 if, you know, we see something in there as 20 we're walking through or we get intelligence 21 that there might be something in there, you 22 know, it could be random, it could be 23 directed, you know, under -- you know, if we</p>	<p style="text-align: right;">Page 84</p> <p>1 And we do partner with a outside 2 agency to -- to -- to help us sit on these 3 inmates when they're outside. But some -- 4 some, they -- we can't let them do or we 5 won't let them do. And then, some that they 6 just -- with COVID and with staffing and 7 trying to hire somebody, they have 8 difficulties finding -- finding people just 9 to be able to do their contract. 10 Q. So, has there been times where, 11 you know, either a pat-down or a cell search 12 or any type of search has been done, has 13 there been times where you've found 14 contraband on inmates even after they've been 15 searched? 16 MR. REEVES: Object to the form. 17 A. And this is at St. Clair or is 18 this -- 19 Q. (BY MR. BLAKESLEAY) Correct. 20 A. -- anywhere? 21 Q. At St. Clair. 22 A. Off the top of my head, I would 23 say -- I would say, yes, there has. I cannot</p>
<p style="text-align: right;">Page 83</p> <p>1 found some intelligence, then, we would -- 2 you know, we would go do a search. 3 Q. And you say y'all do the cell 4 searches daily or how often? 5 A. I would say daily, every shift 6 would do -- would do searches. Is it as 7 consistent as I'd like, probably not, but 8 we're working on that. 9 Q. And what are you trying to do to 10 improve the consistency of the searches? 11 A. Improve -- well, one is training, 12 and then, the other one is increase staffing 13 levels. Recruiting, recruiting, recruiting. 14 Q. And so, are you saying that 15 recruiting is the reason why the searches are 16 inconsistent, or what other factors sort of 17 play into the inconsistency? 18 A. It depends on your staffing 19 levels. It really does. It depends on if 20 you've got -- how many medical runs you've 21 got out, how many inmates you have at the 22 hospital, how many appointments you've got to 23 make. All those take correctional officers.</p>	<p style="text-align: right;">Page 85</p> <p>1 recall, you know, any of them that would -- 2 that I remember. But I know that -- I mean, 3 just a little piece of paper could have dope 4 in it. You know, you just -- you just don't 5 know. It'll look like a little -- a 6 little -- a little crumpled up, you know, 7 corner of a piece of paper. You just never 8 know what's in it. 9 Q. Yeah. So, how do you -- or how 10 does St. Clair document, you know, when 11 contraband is found on an inmate? 12 A. In the incident report module, a 13 302 is done, and it's put into the incident 14 report module. 15 Q. And how often do you review these 16 incident report modules? 17 A. Probably myself or my other two 18 wardens would -- would review them at least 19 two to three times a week. 20 Q. Okay. And who is responsible for 21 ensuring that these search protocols are 22 being followed correctly? 23 A. As in --</p>

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<p style="text-align: right;">Page 86</p> <p>1 Q. At St. Clair.</p> <p>2 A. There's procedures in place</p> <p>3 with -- with the admin reg and the SOP. And</p> <p>4 then, you've got your -- you know, your</p> <p>5 contraband management and you've got your --</p> <p>6 your lieutenant that's -- that -- or sergeant</p> <p>7 that's on the ground supervising the -- the</p> <p>8 incident or at -- sometimes, that's the one</p> <p>9 that's conducting the -- the -- the incident.</p> <p>10 It's put into the incident module. If --</p> <p>11 anything that's out of the ordinary would be</p> <p>12 looked at further with the use and force</p> <p>13 investigative officer or a -- or a LESD.</p> <p>14 Q. So, what is your responsibility</p> <p>15 specifically in regard to making sure that</p> <p>16 the search protocols are being followed</p> <p>17 correctly?</p> <p>18 A. So, what my responsibility is is</p> <p>19 to ensure that -- that when we're -- when</p> <p>20 we're given a task, that it's done properly.</p> <p>21 That's part of my accountability. You know,</p> <p>22 reviewing the incident reports, sometimes</p> <p>23 overseeing the search itself. Not that I'm</p>	<p style="text-align: right;">Page 88</p> <p>1 A. Okay.</p> <p>2 Q. Can you just explain what that</p> <p>3 means and how those are administered?</p> <p>4 A. Okay. Violence indicators is</p> <p>5 just a ADOC report that's found in there.</p> <p>6 You can pull it up. Monthly, I pull up my</p> <p>7 violence indicator. Also, I print off --</p> <p>8 during the month, I print off all my violent</p> <p>9 incidents for that month. And I review my</p> <p>10 violent incidents with my team. We talk</p> <p>11 about it. Then, I turn around and have a --</p> <p>12 a meeting with my boss and with other --</p> <p>13 other wardens and discuss violent indicators</p> <p>14 and trends that are happening at my facility</p> <p>15 and what actions we're taking to -- to try to</p> <p>16 remedy or improve or detour these type of</p> <p>17 incidents.</p> <p>18 Q. And who actually, I guess,</p> <p>19 creates the -- the violence indicators?</p> <p>20 A. The -- the incident report module</p> <p>21 does.</p> <p>22 Q. Okay. So, based upon the</p> <p>23 incident report modules and the -- and the</p>
<p style="text-align: right;">Page 87</p> <p>1 down there to do a lot of searches, but I put</p> <p>2 my two wardens -- my two wardens are</p> <p>3 actually -- their offices are in the -- in</p> <p>4 the facility. And they get out and they</p> <p>5 mingle a lot, too.</p> <p>6 Q. Now, has there been any</p> <p>7 modifications or changes that you have made</p> <p>8 to the search protocol based upon the</p> <p>9 incident reports that you reviewed or even</p> <p>10 reviewing the search itself?</p> <p>11 A. Nothing that I've changed, no,</p> <p>12 sir.</p> <p>13 Q. Okay. And why not?</p> <p>14 A. Like I said, we've had a -- a</p> <p>15 reduction, and that's opinion, probably in</p> <p>16 the contraband that we've had at the</p> <p>17 facility.</p> <p>18 Q. And we've talked about, you know,</p> <p>19 inmate-on-inmate violence a little bit</p> <p>20 before. I want to ask some more specific</p> <p>21 questions regarding that. You talked</p> <p>22 about -- or you mentioned violence</p> <p>23 indicators.</p>	<p style="text-align: right;">Page 89</p> <p>1 violence indicators, what trend have you seen</p> <p>2 with the amount of inmate-on-inmate violence</p> <p>3 at St. Clair?</p> <p>4 A. I've seen a reduction and a -- a</p> <p>5 maintenance of -- at -- for Level 5</p> <p>6 facilities, St. Clair has probably got the --</p> <p>7 it's at the lowest. It also -- we're not</p> <p>8 seeing -- we're seeing a lot less inmate on</p> <p>9 inmate with a weapon and more just inmate on</p> <p>10 inmate in a physical altercation.</p> <p>11 Q. Okay. Can you break down -- you</p> <p>12 just mentioned it and it just came back to</p> <p>13 me. Can you break down, I guess, the levels</p> <p>14 of the prisons --</p> <p>15 A. Yes.</p> <p>16 Q. -- and distinguishing those?</p> <p>17 Can you do that for me?</p> <p>18 A. Best I -- best I can. Level 5 is</p> <p>19 your highest custody level. When you come</p> <p>20 into Kilby on intake, based on your crime,</p> <p>21 your violent history, and your behavior,</p> <p>22 you -- classification -- assessment's done.</p> <p>23 I'm not sure -- I've not sat through Kilby,</p>

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<p style="text-align: right;">Page 106</p> <p>1 seventy.</p> <p>2 Q. And are there any areas of St.</p> <p>3 Clair where there's not any cameras?</p> <p>4 A. Yes, there are.</p> <p>5 Q. Can you explain those areas?</p> <p>6 A. Most of the cameras are where</p> <p>7 you'd have inmate and employee traffic. Some</p> <p>8 of those -- out of the [REDACTED], some</p> <p>9 of them have been vandalized. They like to</p> <p>10 put, like, lacquer on them that they get off</p> <p>11 of hobby crafts, run it across the lens, and</p> <p>12 that'll blur your camera. And so, they --</p> <p>13 they basically will let you see what they</p> <p>14 want you to see.</p> <p>15 Q. So, what improvements do you need</p> <p>16 to the camera system or whatnot?</p> <p>17 MR. REEVES: Object to the form.</p> <p>18 A. It's really beyond my expertise</p> <p>19 on that. I don't know.</p> <p>20 Q. (BY MR. BLAKESLEAY) Well, do you</p> <p>21 need more cameras or are you good with the</p> <p>22 amount of cameras you have?</p> <p>23 A. We've got a good camera system,</p>	<p style="text-align: right;">Page 108</p> <p>1 A. They're low. The way -- the</p> <p>2 design of St. Clair, they're low and they're</p> <p>3 easily to -- easily accessible.</p> <p>4 Q. Do you think there needs to be</p> <p>5 any improvement with the placement of the</p> <p>6 cameras?</p> <p>7 MR. REEVES: Object to the form.</p> <p>8 A. I think they've been put in the</p> <p>9 best place that -- that -- that they can be,</p> <p>10 based on the design of St. Clair.</p> <p>11 Q. (BY MR. BLAKESLEAY) So, in your</p> <p>12 experience as warden at St. Clair, how much</p> <p>13 of the inmate-on-inmate violence occurs in</p> <p>14 the dorms?</p> <p>15 A. During my time, the majority of</p> <p>16 it occurs in the dorms.</p> <p>17 Q. Okay. And what specific dorms?</p> <p>18 Is it any of the dorms or is there particular</p> <p>19 dorms that have received or experienced more</p> <p>20 violence than others?</p> <p>21 A. Any dorm.</p> <p>22 Q. And so, how would having cameras</p> <p>23 that actually work help to deter the</p>
<p style="text-align: right;">Page 107</p> <p>1 you know, more cameras in the state than --</p> <p>2 than, you know -- than, you know, there ever</p> <p>3 has been. You can always use more and</p> <p>4 there's always areas you see where you -- you</p> <p>5 want to add one.</p> <p>6 Q. And what areas of the prison at</p> <p>7 St. Clair do you want to add more cameras?</p> <p>8 MR. REEVES: Object to the form.</p> <p>9 A. Probably in the [REDACTED] where --</p> <p>10 where the -- where they're already -- where</p> <p>11 they're already vandalizing them. Maybe</p> <p>12 reevaluating -- having the company reevaluate</p> <p>13 where they put them or maybe some sort of,</p> <p>14 you know, barrier, protective barrier over</p> <p>15 them so they -- they can't get vandalized.</p> <p>16 Q. (BY MR. BLAKESLEAY) And are the</p> <p>17 [REDACTED] where cameras are the most vandalized?</p> <p>18 A. [REDACTED]</p> <p>19 Q. And that's -- are those [REDACTED],</p> <p>20 population [REDACTED] where the cameras are most</p> <p>21 vandalized that you've seen?</p> <p>22 A. Yes.</p> <p>23 Q. Why do you think that is?</p>	<p style="text-align: right;">Page 109</p> <p>1 inmate-on-inmate violence in the dorms?</p> <p>2 MR. REEVES: Object to the form.</p> <p>3 A. Really the cameras are fairly</p> <p>4 new. So, I really don't have a good answer</p> <p>5 for that.</p> <p>6 Q. (BY MR. BLAKESLEAY) So, I think</p> <p>7 you mentioned earlier that some of the</p> <p>8 cameras in the [REDACTED] were vandalized. Does</p> <p>9 that mean that they're still working or</p> <p>10 they're not working as adequately or not</p> <p>11 working at all? What do you mean by</p> <p>12 vandalized?</p> <p>13 A. Vandalized. So, basically, the</p> <p>14 few cameras I've got, they tend -- they tend</p> <p>15 to put some kind of brown substance on them</p> <p>16 that is so hard and so dark that it just</p> <p>17 blurs the camera. So, we order lenses to</p> <p>18 replace them, but, you know, it just takes a</p> <p>19 walk through and a paintbrush or something,</p> <p>20 you know, to -- to put them down for a little</p> <p>21 bit, a little bit of time.</p> <p>22 Q. So, have there been instances of</p> <p>23 inmate-on-inmate violence where you have</p>

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<p style="text-align: right;">Page 118</p> <p>1 Q. Okay.</p> <p>2 A. And it's all done through --</p> <p>3 through radio commo.</p> <p>4 Q. Okay. So, when you got there as</p> <p>5 warden and became warden, is there anything</p> <p>6 that you modified about how the inmates move</p> <p>7 within St. Clair, for example, adding more</p> <p>8 checkpoints?</p> <p>9 A. The only thing that I really</p> <p>10 modified was increasing -- like, putting</p> <p>11 somebody at that checkpoint with -- with the</p> <p>12 metal detector.</p> <p>13 Q. And why'd you do that?</p> <p>14 A. Because if you're putting a metal</p> <p>15 detector on inmates, they tend to not have</p> <p>16 contraband in their pockets, they tend to not</p> <p>17 have weapons in their pockets, they tend</p> <p>18 to -- to either not have one or leave it in</p> <p>19 the block. As a deterrent, that's what --</p> <p>20 that's what I put metal detectors out there.</p> <p>21 It actually does.</p> <p>22 Q. So, let me ask you this: How</p> <p>23 many -- well, how many metal detectors were</p>	<p style="text-align: right;">Page 120</p> <p>1 A. Every man -- every -- every dorm</p> <p>2 has a color. And that's how you tell when</p> <p>3 you're letting them go back and forth into</p> <p>4 their dorms what the color of their wristband</p> <p>5 is. What they'll do is, they'll cut it off,</p> <p>6 cut it off, stretch it out, trade it, sell</p> <p>7 it, modify it.</p> <p>8 Q. And so, is this something that</p> <p>9 you implemented --</p> <p>10 A. No, sir.</p> <p>11 Q. -- when you -- okay.</p> <p>12 And what you have you done, I</p> <p>13 guess, to try and modify or change the</p> <p>14 wristband policy?</p> <p>15 A. Just kept ordering more</p> <p>16 wristbands.</p> <p>17 Q. Now, as far as the wristbands and</p> <p>18 the colors themselves, what different colors</p> <p>19 are there for these wristbands?</p> <p>20 A. You've just got a different</p> <p>21 color. I mean, it could be yellow, blue,</p> <p>22 red, orange. It could be any -- any color.</p> <p>23 Q. And based upon the type of</p>
<p style="text-align: right;">Page 119</p> <p>1 there when you got there at St. Clair?</p> <p>2 A. The walk-throughs, there was, I'm</p> <p>3 going to say, at least -- at least seven to</p> <p>4 twelve.</p> <p>5 Q. And how many more have you added?</p> <p>6 A. The handhelds I've added is</p> <p>7 probably -- I've probably bought twenty of</p> <p>8 them.</p> <p>9 Q. And why did you add more, I</p> <p>10 guess, handhelds?</p> <p>11 A. Because -- because they work.</p> <p>12 Q. All right. I want to talk about</p> <p>13 this wristband policy. Is that still in</p> <p>14 effect?</p> <p>15 A. It is not enforced. We order</p> <p>16 them, and every time we order them, they</p> <p>17 cut -- they'll cut them off. And so, we tend</p> <p>18 to -- you know, we tend to keep -- keep</p> <p>19 trying.</p> <p>20 Q. So, what is, I guess, the --</p> <p>21 what -- what's supposed to be the wristband</p> <p>22 procedure or protocol with the -- the</p> <p>23 inmates?</p>	<p style="text-align: right;">Page 121</p> <p>1 wristband that the inmate is supposed to</p> <p>2 have, are they restricted from certain areas</p> <p>3 of the prison?</p> <p>4 A. They're restricted in -- to -- to</p> <p>5 going into other blocks.</p> <p>6 Q. By blocks, is that different than</p> <p>7 dorms or what do you mean by that?</p> <p>8 A. Other dorms in -- in the -- in</p> <p>9 the population.</p> <p>10 Q. So, if an inmate has, for</p> <p>11 example, a wristband that's not -- that</p> <p>12 doesn't have the color associated with H</p> <p>13 dorm, is that inmate allowed in H dorm?</p> <p>14 A. No.</p> <p>15 Q. And so, if an inmate was found in</p> <p>16 H dorm without having the correct wristband</p> <p>17 on, that would be against the protocol --</p> <p>18 A. Yes.</p> <p>19 Q. -- the wristband protocol?</p> <p>20 Have there been issues at St.</p> <p>21 Clair where, I guess, a correctional officer</p> <p>22 is not able to tell what dorm the inmate is</p> <p>23 in because of the lack of the wristband?</p>

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<p style="text-align: right;">Page 138</p> <p>1 lot of times, it's not the program, but it's 2 based on your involvement into a program. We 3 may host a graduation. We may let the -- the 4 religious groups feed -- feed the inmates, 5 feed them as a -- as a whole or feed them as 6 a graduation ceremony-type class. 7 Q. So, is there anything -- let me 8 say, are there any circumstances in which an 9 inmate not housed in H dorm would be in H 10 dorm? 11 A. Repeat that question one more 12 time. 13 Q. So, let me be more clear. Is 14 there any time where an inmate that's not 15 particularly housed in H dorm, are there any 16 times that an inmate not housed in that dorm 17 would be in that dorm? 18 A. No, if they're housed in A 19 dorm -- or H dorm, it would be in H dorm. 20 Q. Okay. So, if an inmate that 21 wasn't housed in H dorm was found in H dorm, 22 that would be against protocol or procedure 23 at St. Clair?</p>	<p style="text-align: right;">Page 140</p> <p>1 the stuff that's going on inside the dorm and 2 outside the dorm. 3 Q. And so, I guess the procedures 4 that you just laid out, what of those were 5 ones that you implemented when you got there? 6 A. They were all in place when I got 7 there. 8 Q. Okay. 9 10 (Whereupon, Defendant's Exhibit 7 11 was marked for identification and 12 copy of same is attached hereto.) 13 14 Q. (BY MR. BLAKESLEAY) I'm showing 15 you what is being marked as Plaintiff's 16 Exhibit 7. Let me know if you recognize this 17 exhibit. 18 MR. REEVES: I'll note that 19 Plaintiff's Exhibit 7 is marked highly 20 confidential, attorneys eyes only, and 21 therefore, I know we'll designate at least 22 this section of the transcript and the video 23 as highly confidential, attorneys eyes only.</p>
<p style="text-align: right;">Page 139</p> <p>1 A. Yes. 2 Q. Okay. What are some of the, I 3 guess, procedures or policies in place to 4 help prevent that from happening? 5 A. So, there is -- there's some 6 checkpoints that are involved. That dorm -- 7 that particular dorm is isolated off of 8 the -- off the main -- main dorm. And you 9 have to go through a tunnel. And there's 10 gates that close both sides of that tunnel. 11 There's also a gate that's -- that has to -- 12 that goes to the back of the RHU and 13 infirmary. 14 And so, you've got a tunnel 15 officer, you've got a trade school officer 16 there, and you have a ACI officer that 17 manages the flow of traffic through those 18 areas. And so, that's the first thing. 19 And then, also, the -- on the 20 faith-based side of it, there's a structure 21 setup down there where you have interns and 22 you've got dorm reps and you've got monitors 23 that are monitoring the activities and the --</p>	<p style="text-align: right;">Page 141</p> <p>1 Q. (BY MR. BLAKESLEAY) Do you 2 recognize this? 3 A. Oh, yes, sir. 4 Q. Okay. What is it? 5 A. It is a -- a rough diagram of St. 6 Clair. 7 Q. Okay. Is this sort of an 8 accurate representation of how -- or the 9 layout of St. Clair, or at least the dorms? 10 A. The layout's fairly accurate. 11 The -- the designations are -- need to be 12 updated. 13 Q. Okay. What about for H dorm? 14 A. It is not the TC dorm. 15 Q. What do you mean by -- 16 A. It's the faith/character based 17 honor dorm. 18 Q. Yeah, but my question is, is 19 that -- 20 A. That's where it's at, yes. 21 Q. Okay. 22 A. Yeah. 23 Q. Good deal. All right. So,</p>

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<p style="text-align: right;">Page 146</p> <p>1 Q. So, if an inmate is accessing H 2 dorm and they have to go through a gate, is 3 the correctional officer the one that lets 4 them through that gate? 5 A. Yes. 6 Q. And so, if a correctional officer 7 does not let them through that gate, that 8 would be against protocol? 9 MR. REEVES: Object to the form. 10 A. I didn't -- repeat your question. 11 I kind of didn't understand what you were 12 asking. 13 Q. (BY MR. BLAKESLEAY) Yeah. So, 14 if a correctional officer doesn't allow or 15 give access to an inmate through the gate to 16 get to -- to get to H dorm, would that be 17 against protocol? 18 MR. REEVES: Object to the form. 19 Q. (BY MR. BLAKESLEAY) In other 20 words, the correctional officer is supposed 21 to let an inmate into the dorms, correct? 22 A. Let them into the gates there, 23 yes.</p>	<p style="text-align: right;">Page 148</p> <p>1 correctional officer's supervision? 2 A. In a dorm? Yes. 3 Q. In H dorm. 4 A. In H dorm. Not to my knowledge, 5 I don't have anybody that's been out of 6 pocket at H dorm. 7 Q. Okay. And why do you think that 8 is? 9 A. Why do I think that is? Because 10 it's not as appealing to go down -- down 11 there. They've got structure down there, 12 they've got an officer down there, and 13 they're real quick to tell on you if you go 14 down and it's not your area. 15 Q. Okay. So, would you say that's a 16 result of the policies and the procedures 17 that are in place -- 18 A. Yes. 19 Q. -- regarding access to H dorm? 20 A. Yes. 21 Q. Okay. All right. I'm going to 22 shift your focus now on the audits that occur 23 at St. Clair. So, can you just describe to</p>
<p style="text-align: right;">Page 147</p> <p>1 Q. Give them access to the dorms? 2 A. Yes. 3 Q. And so, if an inmate didn't 4 receive access to the dorm by a correctional 5 officer, would that be against protocol? 6 A. Yes. 7 Q. Okay. And so, my follow-up 8 question to that is, who's responsible to 9 ensure that that protocol is followed? 10 A. Them checkpoint officers. 11 Q. Okay. What happens to a 12 correctional officer if an inmate is found 13 not being where he's supposed to be on that 14 correctional officer's duty or under that 15 correctional officer's supervision? 16 A. You could find out who -- who let 17 them through the gate, and then, you could 18 take corrective action on -- on that 19 correctional officer for letting them through 20 the gate. 21 Q. Have you had any incidents where 22 an inmate was found being in a dorm that he 23 wasn't supposed to be in while under a</p>	<p style="text-align: right;">Page 149</p> <p>1 me, I guess, what is a security audit at -- 2 at St. Clair, when does it happen, how does 3 it happen? 4 A. Okay. What we've got going on at 5 St. Clair now is we have the IG's office. 6 And so, they have several different employees 7 that's assigned to the IG's office. They 8 give them a part of the instrument tool to 9 audit, like, key control for an example or 10 tool control for an example or something 11 that's in their audit, they'll assign it to 12 that particular person. That person comes 13 down and does a walk-through of the facility, 14 documents their findings, and then, we come 15 up with a plan to correct the deficiencies. 16 Q. Okay. You said the IG's office. 17 What does IG stand for? 18 A. Inspector general. 19 Q. And where are they from or where 20 do they come from? 21 A. They come from Montgomery. 22 Q. Okay. 23 A. It's a new position that Mr. Dunn</p>

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<p style="text-align: right;">Page 174</p> <p>1 A. There -- the door was locked. It 2 was -- it was closed. It was one of the 3 doors that goes into the -- into the 4 visitation yard. It was -- wasn't used. 5 There was another way around. It's not none 6 of the doors that were inside the -- inside 7 the blocks that roll. 8 Q. Now, are cell phones a form of 9 contraband at St. Clair? 10 A. Yes. 11 Q. How often have you recovered cell 12 phones at St. Clair? 13 A. Weekly. Two or three times a 14 week sometimes. 15 Q. And do you create reports based 16 upon what you find? 17 A. Yes, we do. 18 Q. Okay. 19 A. We preserve the evidence. LESD 20 gets the phone. We see if we can track it 21 back to see whose phone it is, who bought it, 22 and see if we can take any criminal action on 23 it.</p>	<p style="text-align: right;">Page 176</p> <p>1 Q. Okay. Describe for me when an 2 incident of inmate-on-inmate violence is 3 nonviolent. 4 MR. REEVES: Object to the form. 5 A. Do you want to repeat that 6 question one more time? 7 Q. (BY MR. BLAKESLEAY) So, for 8 example, were there times -- would there be 9 times where an inmate would -- if there's an 10 inmate-on-inmate violence incident, would 11 there be times where not -- it doesn't 12 involve a weapon or anything like that? 13 A. Oh, yes, where it wouldn't 14 involve a weapon. 15 Q. Okay. And how do those 16 different -- how do those type of incidents 17 differ from incidents when it does involve a 18 weapon as far as the violence, the level of 19 violence? 20 A. That's awful broad. 21 Q. So, is an incident typically 22 worse if an inmate uses a weapon that you've 23 seen in your experience or --</p>
<p style="text-align: right;">Page 175</p> <p>1 Q. In your experience, what are they 2 using -- the inmates using these cell phones 3 for, or trying to? 4 MR. REEVES: Object to the form. 5 A. They're using them for the same 6 thing that we use them for. They call home, 7 they transfer money, make connections. 8 Q. (BY MR. BLAKESLEAY) Okay. So, I 9 know I've used the word "incident" and you've 10 used the word "incident" throughout my line 11 of questioning, things of that nature. When 12 it comes to inmate-on-inmate violence or 13 uncontrolled movement, contraband, what do 14 you mean by incident? So, if an incident 15 occurs, as far as inmate-on-inmate violence, 16 what would you mean by that? 17 A. If I said an incident, an 18 inmate-on-inmate, it's either two inmates 19 fighting in the dorm. That's -- that could 20 be three or four inmates fighting in the 21 dorm. It could be anybody that's engaged 22 in -- in mutual combat or assaultive behavior 23 on somebody.</p>	<p style="text-align: right;">Page 177</p> <p>1 MR. REEVES: Object to the form. 2 Q. (BY MR. BLAKESLEAY) -- is it 3 about the same? 4 MR. REEVES: Object to the form. 5 A. In most cases, if the -- if a 6 weapon's used, you're going to have more 7 injury. 8 Q. (BY MR. BLAKESLEAY) Okay. All 9 right. We talked about the violence 10 indicator. I think you mentioned there were 11 meetings associated with that when you 12 reviewed the violence indicator? 13 A. Yes, sir. 14 Q. Okay. What happens during these 15 meetings? 16 A. We discuss what incidences we 17 had, where they were located, if there was 18 any particular hot spot or a particular time 19 or particular event that caused the incident, 20 was it isolated, was it over debt, was it 21 over drugs, was it gang related, and what can 22 we do to improve security in that area, that 23 hot spot.</p>

EXHIBIT A



Jefferson S. Dunn
Commissioner

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Division
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334.353.3883*

ALABAMA DEPARTMENT OF CORRECTIONS

Monthly Statistical Report *for*

December 2017

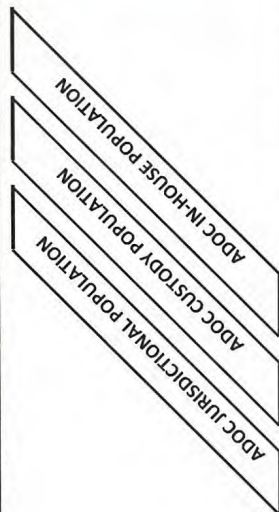
Fiscal Year 2018

All data in this report is for the end of month unless otherwise stated.

Alabama Department of Corrections
December 2017 Monthly Statistical Report

Legend

ADOC INMATE JURISDICTIONAL - CUSTODY ASSIGNMENT BY LOCATION



LOCATION

Population data are for the last working day of the month and is collected 60 days later to allow for processing of admissions and releases.

ADOC Major Institution • • • •
ADOC Community Work Center • • • •
ADOC Work Release • • • •

Alabama Therapeutic Education Facility (ATEF)

Supervised Re-Entry Program (SRP) • • • •

Medical Furlough • • • •

Leased Facilities • • • •

State Mental Facility • • • •

Other Locations • • • •

Central Records Monitor • • • •

County Jail • • • •

Community Corrections Program • • • •

Federal Prison • • • •

Other States • • • •

ADOC Jurisdictional Population: Defines an inmate sentenced by the court to the Alabama Department of Corrections. ADOC Jurisdictional Population includes all inmates serving time within ADOC facilities / programs, as well as in the custody of other correctional authorities, such as county jails, other State DOCs, Community Correction Programs, Federal Prisons, and Privately Leased Facilities.

ADOC Custody Population: Defines an inmate where ADOC maintains and/or oversees custody of an inmate sentenced by the court. ADOC Custody Population includes In-House Population plus those housed in other ADOC leased facilities and special programs.

ADOC In-House Population: Defines an inmate where ADOC maintains custody of an inmate to a period of incarceration. ADOC In-House Population inmates are housed within correctional facilities owned and operated by ADOC; this includes transient inmates between correctional facilities.

Alabama Therapeutic Education Facility (ATEF): Leased facility with contracted bed space, as well as intensive inmate rehabilitative and training services, located in Columbiana, AL.

Central Records Monitor: Defines the temporary status of an inmate pending transition to the status of release, death, or escape. After the change, the inmate will be removed from the corresponding inmate population count.

Community Corrections Program: Community based corrections program, including non-profits and those operated by county government, with oversight provided by ADOC. Governed by the 1991 Community Punishment and Corrections Act, Alabama Code, 1975, §15-18-170 et al., as amended in 2003.

Leased or contract facilities: Private or municipal/county government owned correctional facilities that provide supplemental leased or contract inmate bed space to ADOC.

Major Facility: Includes all Close and medium security correctional facilities.

Medical Furlough Program: The *Alabama Medical Furlough Act* became law on September 1, 2008. This act provides the Commissioner of the Department of Corrections discretionary authority to grant medical furloughs for terminally ill, permanently incapacitated, and geriatric inmates who suffer from a chronic infirmity, illness, or disease related to aging, and who do not constitute a danger to themselves or society.

Prison Reform / Justice Reinvestment Initiative Population: Offenders who are technical violators of parole or probation, and are sanctioned to ADOC custody for a period up to 45 days. Also includes offenders sentenced to ADOC custody for Class D felonies.

Split Sentence Inmates: Inmates sentenced under Act 754 of the Alabama Code, allowing the sentencing judge to retain control over the inmate length of sentence with the option of probation after a specified length of incarceration.

Supervised Re-Entry Program (SRP): Defines an inmate in a residential environment, under supervision of a sponsor and an ADOC SRP Supervisor, where they may obtain employment, education, and / or training and pay court-ordered restitution.

Year or YTD: Year or YTD column headings are cumulative totals for the current fiscal year, October to September.

Alabama Department of Corrections December 2017 Monthly Statistical Report														
Trend Summaries														
	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	Jul 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	12-Month ▲
ADOC POPULATION TREND SUMMARY														
ADOC JURISDICTIONAL POPULATION ¹	28,992	28,865	28,912	28,646	28,323	28,256	28,296	27,926	27,890	27,803	27,886	27,847	27,677	(1,315)
ADOC CUSTODY POPULATION ¹	23,376	23,164	23,087	22,824	22,624	22,313	22,201	21,868	21,616	21,563	21,509	21,511	21,524	(1,852)
ADOC IN-HOUSE POPULATION ¹	22,963	22,764	22,688	22,425	22,233	21,953	21,888	21,556	21,306	21,213	20,966	20,924	21,007	(1,956)
ADOC In-House Designed capacity	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	13,318	
ADOC IN-HOUSE POPULATION TREND SUMMARY														
Close Security Facilities	7,507	7,368	7,369	7,207	7,243	7,234	7,177	7,092	7,136	7,205	7,254	7,307	7,374	(133)
Medium Security Facilities	11,715	11,652	11,596	11,552	11,430	11,340	11,286	11,115	10,961	10,876	10,684	10,593	10,574	(1,141)
Minimum Security Facilities	293	313	348	354	353	336	308	286	237	224	213	218	207	(86)
Minimum Security - Work Centers	1,803	1,788	1,777	1,744	1,696	1,613	1,693	1,706	1,669	1,630	1,554	1,568	1,571	(232)
Minimum Security - Work Release Facilities	1,645	1,643	1,598	1,568	1,511	1,430	1,424	1,357	1,303	1,278	1,261	1,238	1,281	(364)
SPECIAL INTEREST POPULATION TREND SUMMARY														
SUPERVISED RE-ENTRY PROGRAM	27	23	18	15	10	8	8	5	4	4	8	10	11	(16)
THERAPEUTIC EDUCATION FACILITY	324	327	322	323	323	305	278	278	281	294	286	278	253	(71)
COMMUNITY CORRECTIONS	3,655	3,649	3,655	3,642	3,548	3,571	3,584	3,483	3,587	3,618	3,669	3,677	3,655	0
COUNTY JAIL: Total Population	1,574	1,674	1,789	1,760	1,722	1,969	2,103	2,169	2,266	2,204	2,308	2,236	2,073	499
County JAIL: On-The-Way ² Population	270	205	246	426	299	343	268	125	277	332	536	536	214	
LEASED/CONTRACT BEDS	57	45	55	58	52	41	22	23	19	49	245	295	248	191
ADMISSIONS / RELEASES TREND SUMMARY														
ADMISSIONS	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	Jul 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	12-Month ▲
New Commitment	165	200	187	213	170	244	218	116	237	215	224	225	154	
Split Sentence	190	269	279	281	208	347	277	170	332	231	341	318	190	
Parole Re-admissions	67	81	68	78	78	64	74	78	83	79	147	177	161	
Probation Revocation	167	168	170	174	150	174	210	129	238	192	275	269	254	
Returned Escapees	73	59	69	64	56	76	70	55	65	59	67	65	50	
Others	132	186	197	210	183	256	235	139	286	244	102	89	64	
Total Monthly Jurisdictional Admissions	794	963	970	1,020	845	1,161	1,084	687	1,241	1,020	1,156	1,143	873	
Jurisdictional Admissions Y-T-D	2,925	3,888	4,860	5,886	6,793	8,248	9,451	10,185	11,477	12,643	1,156	2,299	3,220	295
Admissions to ADOC Custody	831	575	571	728	730	821	789	472	754	814	847	835	756	
Admissions to ADOC Custody Y-T-D	2,251	2,820	3,385	4,101	4,819	5,609	6,360	6,817	7,532	8,297	847	1,682	2,435	184
RELEASES														
End of Sentence	343	293	246	288	261	275	236	233	248	246	234	235	255	
Paroles Granted ⁴	325	292	369	333	308	384	309	219	219	296	342	412	277	
Parole Releases	306	278	291	313	457	489	362	384	356	308	308	300	219	
Parole Releases Y-T-D	879	1,157	1,448	2,074	2,675	2,707	3,429	3,451	3,807	4,115	308	607	820	(59)
Split Sentence	341	327	304	359	324	355	272	296	372	336	348	349	340	
Other	262	192	214	207	203	266	279	269	235	321	292	312	318	
Total Monthly Jurisdictional Releases	1,252	1,090	1,055	1,167	1,245	1,385	1,149	1,182	1,211	1,211	1,182	1,196	1,132	
Jurisdictional Releases Y-T-D	3,557	4,647	5,702	8,036	9,359	9,499	11,745	11,778	12,989	14,200	1,182	2,378	3,488	(69)
Total Monthly Custody Releases	901	732	716	798	930	1,015	849	861	898	864	817	824	763	
Custody Releases Y-T-D	2,513	3,245	3,961	5,557	6,619	6,704	8,376	8,388	9,286	10,150	817	1,639	2,375	(138)

¹ See Legend on page 1 for definition.² On-the-way describes those inmates programmed for transfer from county to an ADOC facility.³ Original architectural design plus renovations.⁴ Paroles Granted are not included in Release Totals.⁵ Parole and Probation Dunks are included in Parole Re-admissions, Probation Revocations, and Other Admissions

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Facility Operations

FACILITY	Designed Capacity ¹	Current Beds ⁶	Month End Population	Difference ²	Occupancy Rate ³	TOTAL DISCIPLINARIES		TOTAL ASSAULTS		DEATHS		ESCAPES		VISITS & PASSES ⁴		LEAVES & FURLONGHS ⁵	
						Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D
CLOSE SECURITY	Holman	581	674	19	112.7%	46	143	13	35	1	1	0	0	0	0	0	0
	Death Row	56	190	35	276.8%	0	2	0	0	0	0	0	0	0	0	0	0
	Kilby	440	1,448	69	313.4%	61	267	1	17	3	6	0	0	0	0	0	0
	St. Clair	984	1,075	59	103.3%	52	166	16	41	0	1	2	2	0	0	0	0
	(Female) Tutwiler	417	724	92	151.6%	50	165	12	21	1	1	0	0	0	0	0	0
	(Female) Death Row	5	5	0	100.0%	0	0	0	0	0	0	0	0	0	0	0	0
	Donaldson	968	1,582	196	143.2%	88	214	15	40	1	2	0	0	0	0	0	0
	Death Row	24	24	2	91.7%	2	4	0	0	0	0	0	0	0	0	0	0
	Limestone	1628	2,494	370	130.5%	65	150	2	7	1	3	0	0	1	7	0	0
	Close Subtotal	5,103	8,216	842	144.5%	364	1,111	59	161	7	14	2	2	1	7	0	0
MEDIUM SECURITY	Bibb	918	1,948	76	203.9%	156	506	13	41	1	4	0	0	0	0	0	0
	Bullock	919	1,609	331	139.1%	103	300	14	39	1	4	0	0	0	0	0	0
	Draper	656	1,235	371	131.7%	101	380	11	33	0	0	0	0	0	0	0	0
	Easterling	652	1,340	1,049	160.9%	53	121	10	41	0	0	0	0	0	0	0	0
	Elmore	600	1,176	1,131	188.5%	148	513	20	71	1	1	0	0	1	2	0	0
	Fountain	719	1,118	1,062	147.7%	196	518	13	35	1	1	0	0	0	1	0	0
	Hamilton A/I	123	302	258	209.8%	37	95	0	1	0	0	0	0	0	0	0	0
	(Female) Montgomery	192	300	292	152.1%	21	82	0	1	0	0	0	0	14	42	5	14
	Staton	508	1,399	1,272	250.4%	55	179	9	25	0	2	0	0	1	1	0	0
	(Female) Tutwiler Annex	128	250	247	193.0%	11	51	0	1	0	0	0	0	0	0	0	0
MIN SECURITY	Ventress	650	1,335	86	192.2%	102	405	16	52	0	2	0	0	1	2	0	0
	Med Subtotal	6,065	12,012	1,438	174.3%	983	3,150	106	340	4	14	0	0	17	48	5	14
	JO Davis	250	250	207	82.8%	17	60	0	0	0	0	0	0	0	0	0	0
	Min Security	250	250	43	82.8%	17	60	0	0	0	0	0	0	0	0	0	0
	Alex City	35	56	3	151.4%	3	15	0	0	0	1	0	0	0	0	0	0
	Atmore	112	254	254	0.0%	0	0	0	0	0	0	0	0	0	0	0	0
	(Female) Birmingham	30	166	21	483.3%	5	16	0	0	0	0	0	0	0	0	0	0
	Camden	15	86	34	346.7%	1	7	0	2	0	0	0	0	0	0	0	0
	Childersburg	151	260	189	125.2%	22	93	0	0	0	0	0	0	0	0	0	0
	Decatur	37	453	336	908.1%	35	107	0	0	0	0	0	0	0	0	0	0
MIN SECURITY - WORK CENTER	Elba	15	20	0	133.3%	1	5	0	0	0	0	0	0	0	0	0	0
	Frank Lee	109	150	149	136.7%	18	43	0	0	0	0	0	0	0	0	0	0
	Hamilton	25	54	3	204.0%	1	4	0	2	0	0	0	0	0	0	0	0
	Loxley	120	240	42	165.0%	35	140	0	2	0	0	0	0	0	0	0	0
	Mobile	15	101	40	406.7%	34	81	1	1	0	0	0	0	0	0	0	0
	Red Eagle	104	340	317	304.8%	19	70	0	7	0	0	0	0	0	0	0	0
	WC Subtotal	768	2,180	609	204.6%	174	581	1	14	0	1	0	0	0	0	0	0
	Alex City	145	188	46	97.9%	24	62	2	0	0	0	0	0	60	175	10	20
	(Female) Birmingham	120	104	8	80.0%	4	13	0	0	0	0	0	0	15	48	20	46
	Camden	40	50	29	52.5%	6	15	0	1	0	0	0	0	1	7	8	21
MIN SECURITY-WORK RELEASE	Childersburg	176	150	49	57.4%	7	54	0	0	0	0	0	0	17	54	22	74
	Decatur	91	292	56	259.3%	28	121	0	0	0	0	0	0	22	76	19	37
	Elba	40	234	119	287.5%	21	57	0	0	0	0	0	0	1	5	1	1
	Frank Lee	119	150	149	125.2%	14	30	0	0	0	0	0	0	3	14	7	33
	Hamilton	91	224	143	157.1%	4	20	0	0	0	0	0	0	26	82	8	10
	Loxley	175	298	174	99.4%	25	81	0	0	0	0	0	0	11	24	0	1
	Mobile	135	161	57	77.0%	24	76	0	4	0	0	0	0	9	32	11	32
	WR Subtotal	1,132	1,851	570	113.2%	157	529	2	5	0	0	0	0	165	517	106	275
	In-House Total	13,318	24,509	3,502	157.7%	1,695	5,431	168	520	11	29	2	2	183	572	111	289

1-Original architectural design plus renovations.
2-The number of unused beds include special management beds which are not suitable for general population inmates, such as segregation, hospital, treatment, special program, or intake.
3-Occupancy Rate is the result of month end population divided by designed capacity
4-Visits and Passes include emergency visits and discretionary passes IAW AR 405, Inmate Emergency Visit, Pass, and Leave program.
5-Leaves and Furloughs include Discretionary Leaves and Discretionary Furloughs IAW AR 405, Inmate Emergency Visit, Pass, and Leave program.
6-Current Beds do not include beds being held for out-gated inmates.
7-The Montgomery Wf "Month End Population" has 88 Medium, 164 minimum and 40 Work Release inmates for the month of December
8-The Atmore Facility will no longer be used as efforts are made to augment staffing shortages at Holman

Inmate Distributions with County Jails

COUNTY JAIL DISTRIBUTION

Location	Based on Month End Populations				Jurisdictional Population Detailed by County Jail Location	
	ADOC JURISDICTIONAL POPULATION	ADOC CUSTODY POPULATION	ADOC IN-HOUSE POPULATION	Female	Male	
TOTAL DISTRIBUTION <i>Percentage of Total</i>	27,677 100%	21,524 78%	21,007 75.9%	25,194 91.0%	2,483 9.0%	
ADOC Major Institution	17,948	17,948	17,948	17,772	1,176	
ADOC Work Release	1,281	1,281	1,281	1,185	96	
ADOC Community Work Center	1,778	1,778	1,778	1,633	145	
Sub-Total	21,007	21,007	21,007	19,590	1,417	
Alabama Therapeutic Education Facility	253	253		253	0	
Supervised Re-entry Program	11	11		0	11	
Medical Furlough Program ¹	5	5		4	1	
Taylor Hardin State Mental Health Facility	0	0		0	0	
Pre-Therapeutic Community Program--Contract	248	248		248	0	
Autauga County Jail--Contract	0	0		0	0	
Butler County Jail--Contract	0	0		0	0	
Clarke County Jail--Contract	0	0		0	0	
Crenshaw County Jail--Contract	0	0		0	0	
Lowndes County Jail--Contract	0	0		0	0	
Pickens County Jail--Contract	0	0		0	0	
Sumter County Jail--Contract	0	0		0	0	
Talladega County Jail--Contract	0	0		0	0	
Wilcox County Jail--Contract	0	0		0	0	
Sub-Total	517	517		505	12	
Central Records Monitor	72			61	11	
County Jail	2,073	7.49%		1,757	316	
Community Corrections Program	3,655	13.21%		2,948	707	
Other Locations ²	0			0	0	
Federal Prison	127			121	6	
Other State Correctional Facility	226			212	14	
Sub-Total	6,153	22.23%		5,099	1,054	
Total Leased or contract Beds	248	0.9%				

¹ Medical Furlough Program inmates are under SRP supervision.

*Other Locations typically may include inmates held under the custody of Pardon and Paroles (Life Tech) or Department of Youth Services (DYS).

*This Population is included in Major Institution Count.

¹ Jefferson County includes Jefferson (235) and Bessemer (2)

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LEADING CONTRIBUTORS OF INMATES TO JURISDICTIONAL POPULATION

Jurisdictional Monthly Admissions		
County	Total Contributed	Percent
All Other Counties	223	25.5%
Mobile	84	9.6%
Jefferson ⁵	84	9.6%
Madison	62	7.1%
Morgan	38	4.4%
Chilton	37	4.2%
Etowah	34	3.9%
Calhoun	31	3.6%
Baldwin	31	3.6%
Lee	28	3.2%
Montgomery	26	3.0%
Houston	26	3.0%
Shelby	25	2.9%
Tuscaloosa	21	2.4%
Talladega	20	2.3%
Walker	19	2.2%
Marshall	17	1.9%
Covington	17	1.9%
Limestone	17	1.9%
Cullman	17	1.9%
Russell	16	1.8%
Total	873	100.0%

1. - Includes all inmates with previous sentence to ADOC jurisdiction.
2. - Habitual Offender convictions are defined and sentenced under the Code of Alabama, 1975, as amended, § 13A-5-9.
3. - % of Jurisdictional Population that are recidivists (returned to ADOC Jurisdiction within 3 years of release).
4. - Jefferson County includes Jefferson and Bessemer Circuit Court Districts, subtotals are: 2129 (1,788/341), 1894 (1,617/277), 898 (725/173), 1098 (946/152)
5. - Jefferson County includes Jefferson (69) and Bessemer (15) Circuit Court Districts.

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Treatment & Education Programs

Inmate Drug Treatment Activities			
Program	Currently Enrolled	Completed Month	Year
Primary Drug Treatment Programs			
Relapse Treatment	11	9	16
8-Week SAP	100	255	476
8 Wk Mtrx	19	57	101
8 Week Co-Occurring	0	0	0
6-Month Crime Bill (RSAT)	210	71	121
Therapeutic Community	90	1	13
Total	430	393	727
Pre-Treatment & Aftercare Programs			
Pre-Treatment 8 Week SAP	144	0	--
Aftercare	1,628	20	--
Pre-Treatment 6-Month Crime Bill (RSAT)	0	--	--
Total	1,772	--	--

Inmate Re-entry Programs		
	Month	Year
Completed In-House Re-entry Program	164	424
Completed Limestone CF 90 -Day Re-entry Program	34	104
Total	198	528

Alabama Therapeutic Education Facility (ATEF)		
	Month	Year
Intakes/Transfer Information		
New Intakes	44	157
Transfers Out	52	201
Treatment Information		
Graduates	41	170
GED	2	7
Vocation Cert	69	293
Alabama Career Readiness Cert	0	0
Anger Mgmt	15	72
Domestic Violence	1	4
Meth Matrix	5	17
SAP	35	127
Stress Mgmt	0	0
Disciplinary Returns	8	23
Administrative Returns	3	8
Case Managers	25:1	--
Drug Screen Information		
Positive Drug Screens Upon Enrollment	7	19
Random Drug Screens	152	366
Positive Drug Screens	0	0
Security Information		
Escapes	0	0

Medical Furlough Program		
	Currently Enrolled	New Enrollees
	Month	Year
Medical Furlough Program Totals	5	2

Alabama Department of Corrections
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Program Totals Since Inception

	Since Inception ¹	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Supervised Re-Entry Program--Entered ²	8,789	141	1,155	1,273	1,419	1,089	1,117	960	747	527	361	18	--
Supervised Re-Entry Program--Released ² <i>Successfully released through end of sentence or Parole</i>	6,817	--	775	936	1,057	937	846	862	572	412	420	56	--
Alabama Therapeutic Education Facility Graduates	5,969	--	98	574	775	708	631	634	617	609	543	610	170
Offenders Receiving GED ³	6,821	872	980	593	703	658	593	646	412	694	227	443	--
Offenders Receiving VocTech Certificate ³	9,079	718	645	612	699	599	816	1,377	1,161	1,185	551	716	--
Offenders Completing Drug Treatment	35,765	--	4,807	4,463	5,242	4,177	3,377	2,930	2,733	2,698	2,760	1,851	727
Re-Start Graduates ²	518	--	--	--	--	112	106	99	67	107	27	--	--
In-House Re-entry Graduates	32,551	--	--	--	5,193	4,899	4,727	4,162	3,239	5,298	2,684	1,925	424
Limestone Re-entry Graduates	4,321	--	--	--	529	441	396	355	770	660	557	509	104
Offenders Entering Medical Furlough	58	--	--	5	4	5	6	6	9	4	13	4	2

1- Since Inception is based on inception of the program or when program data was first collected.

2-Alabama Re-Start Program and the Supervised Re-Entry Program is no longer implemented.

3-This data will be provided at the end of FY2018.

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Demographics and Sentencing

Inmate Population by Race and Sex

	Jurisdictional Population		Habitual Offenders		Totals
	Male	Female	Male	Female	
White	10,846	39.2%	1,789	6.5%	12,635
Black	14,206	51.3%	693	2.5%	14,899
Other	150	0.5%	2	0.0%	152
Totals	25,202	91.0%	2,484	9.0%	27,686

Inmate Population by Age

	Jurisdictional	Habitual Offenders	
Age 15	1	0.0%	0
Age 16	1	0.0%	0
Age 17	9	0.0%	1
Age 18	34	0.1%	1
Age 19	127	0.5%	0
Age 20	196	0.7%	4
Ages 21-25	2292	8.3%	166
Ages 26-30	4030	14.6%	579
Ages 31-35	4346	15.7%	896
Ages 36-40	4636	16.7%	1,141
Ages 41-45	3381	12.2%	922
Ages 46-50	2942	10.6%	837
Ages 51-60	3978	14.4%	1,225
Ages 60+	1713	6.2%	459
Totals	27,686	100.0%	6,231

Distribution of LWOP Inmate Population by Custody Level

Institution	Close	Medium	Unclass	Totals
Donaldson	23	607	2	632
St. Clair	13	430	3	446
Holman	5	365	0	370
Tutwiler	0	53	0	53
Kilby	0	7	1	8
Other*	3	2	8	13
Hamilton A&I	0	7	0	7
Limestone	1	5	0	6
Fountain	0	0	0	0
Easterling	0	0	0	0
ADOC Clay County	0	0	0	0
Total	45	1,476	14	1,535

* Includes inmates in ADOC jurisdiction that are currently in federal or another state's custody.

Sentence Length Summary: Jurisdictional Population

Sentence Length	Total	Percent
Up to 2 yrs	3,296	11.9%
Between 2 and 5 yrs	2,997	10.8%
5 yrs	1,497	5.4%
Between 5 & 10 yrs	1,664	6.0%
10 yrs	1,564	5.6%
Between 10 & 15 yrs	524	1.9%
15 yrs	2,015	7.3%
From 15 to 20 yrs	689	2.5%
20 yrs	3,900	14.1%
From 20 to 25 yrs	613	2.2%
25 yrs	1,347	4.9%
From 25 to 35 yrs	1,231	4.4%
Over 35 yrs	1,116	4.0%
Life	3,480	12.6%
Life/Barred Parole	15	0.1%
Life without Parole	1,519	5.5%
Death Row	183	0.7%
Unknown	36	0.1%
Total	27,686	100.0%

Sentence Length Summary: Habitual Offenders

Sentence Length	Total	Percent
Up to 2 yrs	284	4.6%
Between 2 and 5 yrs	375	6.0%
5 yrs	235	3.8%
Between 5 and 10 yrs	295	4.7%
10 yrs	226	3.6%
Between 10 & 15 yrs	90	1.4%
From 15 to 20 yrs	817	13.1%
From 20 to 25 yrs	1276	20.5%
From 25 to 35 yrs	666	10.7%
Over 35 yrs	237	3.8%
Life	1191	19.1%
Life/Barred from Parole	3	0.0%
Life without Parole	532	8.5%
Death Row	4	0.1%
Total Hab Offenders	6,231	100.0%

% Habitual of Jurisdictional Population: 22.5%

Violent Offenders by Race and Sex

White Male	6428	34.7%
Black Male	11000	59.4%
Other Male	109	0.6%
White Female	605	3.3%
Black Female	388	2.1%
Other Female	1	0.0%
Total	18,531	100.0%

*% of Jurisdictional Population 66.9%

Inmate Deaths

	Month	YTD
Homicides	0	0
Suicides	1	1
Executions	0	0
Other*	10	28
Total	11	29

* Includes deaths due to natural causes and those deaths where a cause has yet to be determined.

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Releases From ADOC Jurisdiction

RELEASES by RELEASE TYPE	END of SENTENCE		PAROLE		SPLIT-SENTENCE		OTHER		TOTAL	
	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D
<i>% of total</i>										
Number of Releases--Female Inmates	37	111	29	86	46	155	68	182	180	534
Number of Releases--Male Inmates	218	615	190	734	294	881	249	721	951	2,951
		20.8%		23.5%		29.7%		26.0%		100.0%
		726		820		1,036		906		3,488
	255		219		340		318		1,132	
RELEASES by FACILITY TYPE	END of SENTENCE		PAROLE		SPLIT-SENTENCE		OTHER		TOTAL	
	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D
CLOSE FACILITY	18	63	20	68	21	66	101	328	160	525
MEDIUM FACILITY	100	287	91	359	106	317	131	319	428	1,282
MINIMUM FACILITY	0	0	0	0	0	0	0	0	0	0
WORK CENTER	13	41	36	143	29	67	1	4	79	255
WORK RELEASE	14	40	57	183	23	76	0	2	94	301
LEASED FACILITIES	0	0	0	0	0	1	0	6	0	7
SRP	0	0	2	5	0	0	0	0	2	5
State Mental Health	0	0	0	0	0	0	0	0	0	0
CUSTODY SUB-TOTAL	145	431	206	758	179	527	233	659	763	2,375
COMMUNITY CORRECTIONS	84	206	0	0	87	296	72	210	243	712
COUNTY JAIL	23	84	13	61	73	209	12	36	121	390
FEDERAL PRISON	2	3	0	1	1	3	0	0	3	7
OTHER STATES	1	2	0	0	0	1	1	1	2	4
ALL OTHERS	0	0	0	0	0	0	0	0	0	0
SUB-TOTAL	110	295	13	62	161	509	85	247	369	1,113
JURISDICTIONAL TOTAL	255	726	219	820	340	1,036	318	906	1,132	3,488
RELEASES by SECURITY LEVEL	END of SENTENCE		PAROLE		SPLIT-SENTENCE		OTHER		TOTAL	
	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D	Month	Y-T-D
Close	2	10	3	12	6	17	8	15	19	54
Medium	106	339	90	361	127	408	93	261	416	1,369
Minimum	43	121	57	220	55	178	35	97	190	616
Community	25	75	66	222	49	135	48	146	188	578
Unclassified	79	180	3	6	103	297	134	384	319	867
JURISDICTIONAL TOTAL	255	725	219	821	340	1,035	318	903	1,132	3,484

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Disciplinary, Assaults, Homicides, and Suicides

FACILITY	DISCIPLINARIES				INMATE ON INMATE						INMATE ON STAFF						PRISONER SUICIDES											
	MAJOR AR 403		MINOR AR 403		Assault w/ Serious Injury		Victims		Assault w/o Serious Injury		Fights		Assault by Throwing Substances		Assault w/o Serious Injury		Victims		Assault by Throwing Substances		Inmate on Inmate Homicides		Prisoner on Staff Homicides		Completed		Attempted	
	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year
CLOSE SECURITY	Holman	46	128	0	15	2	11	4	29	3	3	0	0	0	0	0	6	7	5	6	2	2	0	0	0	0	0	1
	Death Row	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Kilby	55	225	6	42	0	0	1	12	1	11	0	2	0	0	0	0	8	0	6	0	0	0	0	0	0	0	
	St. Clair	48	153	4	13	5	12	9	31	5	20	1	1	0	0	1	7	13	2	4	3	4	0	0	0	0	1	
	(female) Tutwiler	41	133	9	32	0	0	14	19	12	18	6	12	0	0	0	0	0	5	0	3	0	0	0	0	0	1	
	(female) Death Row	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Donaldson	76	186	12	28	0	0	8	16	10	20	1	6	1	1	0	5	23	3	13	1	5	0	0	0	0	1	
	Death Row	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Limestone ¹	49	124	16	26	1	2	1	4	1	5	1	4	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
	Close Subtotal	317	955	47	156	8	25	37	111	33	90	12	28	1	1	1	2	18	56	10	32	6	11	0	0	1	1	2
MEDIUM SECURITY	Bibb	112	365	44	141	3	5	8	34	6	27	13	30	0	0	1	1	5	11	2	7	1	1	0	0	0	0	1
	Bullock	88	220	15	80	2	7	11	27	9	21	3	11	0	0	0	3	11	3	11	0	0	0	0	0	0	0	0
	Draper	89	320	12	60	0	3	10	32	8	26	2	9	0	0	0	0	4	3	4	0	0	0	0	0	0	0	
	Easterling	36	73	17	48	1	4	4	27	5	23	8	21	0	0	0	0	4	15	3	11	1	3	0	0	0	0	
	Elmore	130	441	18	72	4	13	14	58	14	51	11	55	0	0	0	0	2	7	2	7	0	0	0	0	0	0	
	Fountain	171	444	25	74	0	1	9	27	10	29	2	5	0	0	0	0	3	5	3	5	0	0	0	0	0	3	
	Hamilton A&I	20	72	17	23	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	(female) Montgomery	11	47	10	35	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Staton	55	172	0	7	3	4	9	23	6	19	9	20	0	0	0	1	0	2	0	1	0	0	0	0	0	0	
	(female) Tutwiler Annex	7	34	4	17	0	0	0	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medium Subtotal	808	2,539	175	611	15	41	85	303	72	243	58	178	0	0	1	2	20	59	16	50	2	4	0	0	0	0	7	16
MIN SECURITY	JO Davis	10	49	7	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Minimum Subtotal	10	49	7	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MIN SECURITY - WORK CENTER	Alex City	1	10	2	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	(female) Birmingham	4	14	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Camden	1	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Childersburg	19	78	3	15	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Dacula	28	92	7	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Elba	1	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Frank Lee	15	40	3	3	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Hamilton	1	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Loxley	28	111	7	29	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Mobile	29	73	5	8	0	0	0	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Red Eagle	16	55	3	15	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	
Work Center Subtotal	143	488	31	93	0	0	0	5	1	6	0	1	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0
MIN SECURITY - WORK RELEASE	Alex City	20	53	4	9	0	0	1	1	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	(female) Birmingham	1	8	3	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Camden	6	14	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Childersburg	7	42	0	12	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Dacula	17	62	11	59	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Elba	14	46	7	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Frank Lee	8	20	6	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Hamilton	3	15	1	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Loxley	25	70	0	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Mobile	18	63	6	13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Work Release Subtotal	119	393	38	136	0	0	1	2	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
In-House Total	1,397	4,424	298	1,007	23	66	123	421	108	343	70	207	1	1	2	4	38	116	26	83	8	15	0	0	1	1	9	20

¹ Limestone CF: Separate housing has been eliminated for HIV positive inmates in order to comply with the Americans with Disabilities Act.
 Note - As of December, 2009, all incidents of inmate violence matching the criteria for the categories listed on this page of the Monthly Statistical Report are counted.
 Prior reports counted only those incidents that were classified by ADOC regulation required internal investigation. ADOC regulation of incident reporting was revised accordingly.

Alabama Department of Corrections December 2017 Monthly Statistical Report													
Work Release Program													
FISCAL TRANSACTIONS	Alex City	Birmingham ¹	Camden	Childersburg	Decatur	Elba	Frank Lee	Hamilton	Loxley ²	Mobile	Montgomery ¹	Total	YTD
Gross Salaries Earned	\$179,842.90	\$86,433.12	\$16,850.19	\$138,650.42	\$314,246.30	\$157,377.21	\$163,749.05	\$263,411.67	\$195,604.72	\$165,776.65	\$31,632.76	\$1,713,594.99	\$5,325,917.76
Federal Tax Withheld	\$9,584.18	\$5,529.47	\$972.25	\$6,977.67	\$16,144.60	\$10,430.50	\$8,701.45	\$12,635.46	\$11,544.52	\$9,562.74	\$1,691.85	\$93,774.69	\$289,555.39
State Tax Withheld	\$5,034.44	\$2,213.65	\$498.44	\$3,498.04	\$8,731.13	\$4,603.72	\$4,108.42	\$7,498.25	\$5,376.20	\$4,370.55	\$799.20	\$46,642.04	\$144,876.45
City Tax Withheld	\$368.02	\$503.54	\$0.00	\$174.12	\$0.00	\$0.00	\$0.00	\$1,565.88	\$15.87	\$0.00	\$0.00	\$6,627.43	\$8,093.67
Social Security	\$10,663.04	\$5,338.77	\$1,044.31	\$8,293.37	\$17,883.08	\$9,416.31	\$9,375.35	\$17,883.08	\$11,662.35	\$9,503.99	\$1,976.95	\$100,730.52	\$312,505.69
SUI	\$2,492.75	\$1,220.33	\$244.33	\$1,934.16	\$4,069.78	\$2,212.11	\$2,124.77	\$3,641.91	\$2,730.49	\$2,081.73	\$442.93	\$23,195.29	\$72,108.68
Other Misc. Dedts.	\$3,851.50	\$946.99	\$142.05	\$4,241.75	\$5,652.47	\$4,697.75	\$4,003.62	\$9,203.57	\$8,535.75	\$2,846.83	\$0.00	\$44,122.28	\$138,532.40
Average Monthly Inmate Salary	\$17,984.33	\$993.71	\$1,053.14	\$1,733.13	\$1,421.93	\$2,185.79	\$1,670.91	\$1,995.54	\$1,358.37	\$1,841.96	\$1,054.43	\$11,081.49	\$4,835.19
Total Deductions	\$31,993.93	\$15,752.75	\$2,861.78	\$25,119.11	\$52,481.06	\$31,360.39	\$28,313.61	\$50,117.67	\$39,865.18	\$28,365.84	\$4,860.93	\$311,092.25	\$965,672.28
Net Salaries Earned	\$147,848.97	\$70,680.37	\$13,988.41	\$113,531.31	\$261,765.24	\$126,016.82	\$135,435.44	\$213,294.00	\$155,739.54	\$137,410.81	\$26,771.83	\$1,402,502.74	\$4,360,245.48
Total Deduction Check	\$31,993.93	\$15,752.75	\$2,861.78	\$25,119.11	\$52,481.06	\$31,360.39	\$28,313.61	\$50,117.67	\$39,865.18	\$28,365.84	\$4,860.93	\$311,092.25	\$965,672.28
Discrepancy ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Amount Paid to ADOC	\$71,937.19	\$34,581.20	\$6,740.03	\$55,400.13	\$125,665.66	\$62,930.88	\$65,499.48	\$105,323.46	\$77,925.66	\$66,310.62	\$0.00	\$685,047.42	\$1,609,338.89
Amount Paid to ADOC - year-to-date	\$239,726.23	\$121,895.83	\$22,022.84	\$189,812.22	\$367,255.97	\$166,425.68	\$208,196.16	\$338,526.42	\$234,179.86	\$208,772.64	\$32,438.06	\$1,425,090.91	\$3,609,338.89
ADOC Transportation Fees	\$7,430.00	\$7,535.00	\$860.00	\$7,912.50	\$14,592.50	\$5,275.00	\$9,877.50	\$11,400.00	\$6,085.00	\$6,047.50	\$0.00	\$79,595.00	\$264,212.50
Dependent Disbursements	\$0.00	\$0.00	\$0.00	\$0.00	\$16,175.00	\$5,820.00	\$2,803.24	\$0.00	\$0.00	\$0.00	\$0.00	\$24,798.24	\$44,619.24
Restitution & Civil Claims Paid	\$10,617.94	\$6,488.18	\$1,115.87	\$5,052.06	\$7,254.77	\$11,722.27	\$10,531.44	\$18,609.56	\$14,747.36	\$11,117.02	\$1,237.40	\$98,493.87	\$323,431.88
Medical/Dental Payments to private providers	\$143.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,739.00	\$0.00	\$0.00	\$0.00	\$1,882.80	\$6,670.38
Miscellaneous Bills Paid	\$0.00	\$0.00	\$0.00	\$0.00	\$46.25	\$0.00	\$0.00	\$0.00	\$0.00	\$1,034.62	\$0.00	\$1,080.87	\$2,277.89
Amount Disbursed to Inmate	\$5,036.00	\$5,767.00	\$270.00	\$3,896.00	\$15,683.00	\$1,760.00	\$3,836.00	\$5,699.00	\$4,725.45	\$4,502.00	\$861.00	\$47,310.00	\$167,401.00
Court Ordered Child Support through ADOC	\$1,360.20	\$692.82	\$17.30	\$2,588.45	\$2,362.55	\$2,233.90	\$1,528.09	\$4,763.08	\$188.00	\$1,595.29	\$0.00	\$21,867.13	\$66,565.49
Medical Co-Pay Paid	\$124.00	\$268.00	\$16.00	\$188.00	\$672.00	\$52.00	\$196.00	\$164.00	\$157.50	\$31.50	\$556.00	\$2,468.00	\$6,497.00
Positive Drug Test Fee Paid	\$63.00	\$63.00	\$63.00	\$63.00	\$63.00	\$0.00	\$0.00	\$31.50	\$157.50	\$9.00	\$157.50	\$630.00	\$2,303.50
Replacement ID Fee Paid	\$6.00	\$3.00	\$3.00	\$9.00	\$39.00	\$9.00	\$24.00	\$9.00	\$3.00	\$9.00	\$0.00	\$114.00	\$303.00
Amount Deposited to Inmate Accounts	\$56,166.84	\$21,069.17	\$5,173.21	\$42,321.17	\$94,894.51	\$37,933.77	\$44,975.69	\$71,254.40	\$51,907.57	\$51,221.26	\$9,587.82	\$486,525.41	\$1,514,112.69
Inmates Owning Restitution	107	64	11	80	79	68	107	157	141	54	18	886	695
Inmates Paid Restitution	89	69	12	89	54	73	89	114	114	0	18	886	695
Average Restitution Paid per Inmate	\$119.30	\$94.03	\$92.99	\$80.19	\$134.35	\$160.58	\$118.33	\$163.24	\$129.36	#DIV/0!	\$68.74	\$141.72	\$141.72
Inmates Employed	100	87	16	80	221	72	98	132	144	90	30	1,070	1,070
Percent Inmates Employed	116.0%	90.6%	76.2%	79.2%	93.6%	62.6%	65.8%	92.3%	85.7%	87.4%	75.0%	81.4%	81.4%
Average Monthly Salary	\$1,798.43	\$993.71	\$1,053.14	\$1,733.13	\$1,421.93	\$2,185.79	\$1,670.91	\$1,995.54	\$1,358.37	\$1,841.96	\$1,054.43	\$1,601.49	\$4,835.19
Inmates Unemployed	42	8	5	21	15	43	51	11	84	10	10	300	300
Inmates on Staff, in SAP, or Restricted	19	0	0	0	0	0	33	6	28	3	4	93	93
Inmates eligible for employment	23	8	5	21	15	43	18	5	56	7	6	207	207
IMMATE TRANSACTIONS	Alex City	Birmingham ¹	Camden	Childersburg	Decatur	Elba	Frank Lee	Hamilton	Loxley	Mobile	Montgomery ¹	Total	YTD
In W/R brought forward	143	100	20	143	224	98	145	145	168	97	43	1,284	1,284
New Admissions	15	9	1	11	46	26	17	12	20	19	0	176	176
Transferred In	2	0	0	0	1	0	0	6	0	0	3	14	14
Transferred Out	1	3	1	0	0	1	1	6	0	0	1	15	15
Terminated: Disciplinary	4	0	0	2	9	1	6	0	0	10	0	39	39
Terminated: Due Process	0	0	0	0	0	0	0	0	0	0	0	0	0
Removed Medical	4	2	0	3	0	0	0	4	3	1	0	17	17
Escaped	0	0	0	0	0	0	0	0	0	0	0	0	0
Released: EOS	3	2	0	4	8	1	3	3	3	3	3	30	30
Released: Parole	6	3	1	2	18	5	3	7	7	1	1	54	54
Released: Death	0	0	0	0	0	0	0	0	0	0	0	0	0
Released: To SRP/CCP	0	3	0	0	0	1	0	0	0	0	1	5	5
Total End-of-Month	142	96	21	101	236	115	149	143	168	103	40	1,314	1,314
Black Males	96	0	13	58	113	75	103	70	93	63	0	684	684
White Males	46	0	8	43	123	40	46	72	75	39	0	492	492
Black Females	0	38	0	0	0	0	0	0	0	0	15	53	53
White Females	0	58	0	0	0	0	0	0	0	0	25	83	83
Other Males	0	0	0	0	0	0	0	1	0	1	0	2	2
Other Females	0	0	0	0	0	0	0	0	0	0	0	0	0
Check Total	142	96	21	101	236	115	149	143	168	103	40	1,314	1,314
Discrepancy*	0	0	0	0	0	0	0	0	0	0	0	0	0

1- Work Release Program for Women

2- Provided to assist each facility to report accurate information.

Alabama Department of Corrections December 2017 Monthly Statistical Report														
Prison Reform/ Justice Reinvestment Initiative														
	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	Jul 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	YTD
Probation Dunks Details														
Admissions	96	83	119	151	135	154	157	85	177	162	145	125	116	386
Releases	105	97	83	131	112	113	146	136	102	157	128	142	152	420
Month-End Population	116	102	138	158	181	222	233	182	257	262	180	163	127*	—
Parole Dunks Details														
Admissions	31	38	52	81	67	84	61	31	84	76	88	71	87	246
Releases	41	45	31	63	21	38	48	38	63	85	75	71	76	205
Month-End Population	40	33	54	72	118	164	177	170	191	182	85	85	96*	—
Class D Offenders Details														
Monthly Admissions	45	56	87	74	77	90	89	35	111	104	79	98	61	238
Month-End Population	262	324	408	425	459	511	539	580	691	744	743	841	880	—
Class D Offenders Population Demographics														
Details by Race														
Black	103	117	148	155	169	181	188	198	229	247	258	290	299	—
White	157	205	258	267	287	327	348	378	458	492	482	547	575	—
Unknown	2	2	2	3	3	3	3	4	4	5	3	4	6	—
Total	262	324	408	425	459	511	539	580	691	744	743	841	880	—
Details by Sex														
Male	212	264	336	350	381	417	439	467	548	590	595	674	699	—
Female	50	60	72	75	78	94	100	113	143	154	148	167	181	—
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	—
Total	262	324	408	425	459	511	539	580	691	744	743	841	880	—
Details by Major Offense														
Poss/Control Substance	243	299	376	387	418	453	474	513	608	654	633	716	749	—
Other	19	25	32	38	41	58	65	67	83	90	110	125	131	—
Total	262	324	408	425	459	511	539	580	691	744	743	841	880	—
Institution Population Class D Offenders														
ADOC	97	109	153	148	174	187	177	200	239	260	252	283	305	—
Community Corrections	126	159	202	217	230	254	284	294	345	374	370	422	446	—
County Jail	16	28	29	32	37	52	52	53	70	76	87	102	98	—
Unassigned	23	28	24	28	18	18	26	33	37	34	34	34	31	—
Total	262	324	408	425	459	511	539	580	691	744	743	841	880	—

*Parole and Probation Dunk end-of-month populations are based on those inmates serving dunks in ADOC custody at the end of the month.

Alabama Department of Corrections
December 2017 Monthly Statistical Report

Correctional Industries

Inmates	Expenses	Revenues (Billed & Pending)	Profit/Loss
432	\$3,668,238.57	\$3,909,292.91	\$241,054.34

Correctional Industries Totals

Detailed by Activity

Activity	Average Inmates	Expenses YTD	Revenues YTD	Profit/Loss
Chair Plant	15	\$86,639.85	\$83,440.28	(\$3,199.57)
Chemical Plant	23	\$206,857.86	\$253,358.94	\$46,501.08
Tutwiler/Holman Clothing	65	\$276,877.11	\$502,271.93	\$225,394.82
Draper Furniture	49	\$186,568.32	\$210,157.00	\$23,588.68
Furniture Restoration	55	\$80,110.62	\$58,319.64	(\$21,790.98)
Mattress Plant	8	\$78,021.32	\$159,736.55	\$81,715.23
Modular Plant	18	\$260,793.01	\$80,360.64	(\$180,432.37)
Printing Plant	89	\$531,786.35	\$704,396.93	\$172,610.58
Vinyl Products	7	\$7,459.11	\$600.00	(\$6,859.11)
Vehicle Tag Plant	39	\$728,805.65	\$1,435,961.24	\$707,155.59
Sub-Total	368	2,443,919.20	3,488,603.15	1,044,683.95
Fleet Services	51	\$488,828.70	\$414,507.34	(\$74,321.36)
Sub-Total	51	\$488,828.70	\$414,507.34	(\$74,321.36)
Admin & Warehouse Services	13	\$735,490.67	\$6,182.42	(\$729,308.25)

EXHIBIT 8

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Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ALABAMA
3 MIDDLE DIVISION

4
5 CASE NUMBER: 4:19-CV-01934-ACA

6 AUNDRA DEBREL BOYKINS,

7 Plaintiff,

8 vs.

9 JEFFERSON DUNN, et al.,

10 Defendants.

11
12 S T I P U L A T I O N

13 IT IS STIPULATED AND AGREED by
14 and between the parties through their
15 respective counsel, that the deposition of
16 Amanda Price may be taken before Sara
17 Wilson, CCR, at the offices of Dentons
18 Sirote, at 2311 Highland Avenue South,
19 Suite 500, Birmingham, Alabama 35205, on
20 the 27th day of September, 2022.

21
22 DEPOSITION OF AMANDA PRICE
23

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<p style="text-align: right;">Page 2</p> <p>1 IT IS FURTHER STIPULATED AND</p> <p>2 AGREED that the signature to and the</p> <p>3 reading of the deposition by the witness is</p> <p>4 waived, the deposition to have the same</p> <p>5 force and effect as if full compliance had</p> <p>6 been had with all laws and rules of Court</p> <p>7 relating to the taking of depositions.</p> <p>8 IT IS FURTHER STIPULATED AND</p> <p>9 AGREED that it shall not be necessary for</p> <p>10 any objections to be made by counsel to any</p> <p>11 questions except as to form or leading</p> <p>12 questions, and that counsel for the parties</p> <p>13 may make objections and assign grounds at</p> <p>14 the time of the trial, or at the time said</p> <p>15 deposition is offered in evidence, or prior</p> <p>16 thereto.</p> <p>17 IT IS FURTHER STIPULATED AND</p> <p>18 AGREED that the notice of filing of the</p> <p>19 deposition by the Commissioner is waived.</p> <p>20</p> <p>21 * * * * *</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 4</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF ALABAMA</p> <p>3 MIDDLE DIVISION</p> <p>4</p> <p>5 CASE NUMBER: 4:19-CV-01934-ACA</p> <p>6</p> <p>7 AUNDRA DEBREL BOYKINS,</p> <p>8 Plaintiff,</p> <p>9 vs.</p> <p>10 JEFFERSON DUNN, et al.,</p> <p>11 Defendants.</p> <p>12</p> <p>13 BEFORE:</p> <p>14 Sara Wilson, Commissioner.</p> <p>15 APPEARANCES:</p> <p>16 OMAR FARID, ESQUIRE, of AKIN,</p> <p>17 GUMP, STRAUSS, HAUER & FELD, 2001 K Street,</p> <p>18 Northwest, Washington, DC, 20006, appearing</p> <p>19 on behalf of the Plaintiff.</p> <p>20 JENNIFER S. GARRETT, ESQUIRE, of</p> <p>21 AKIN, GUMP, STRAUSS, HAUER & FELD, One</p> <p>22 Bryant Park, New York, New York, 10036,</p> <p>23 appearing on behalf of the Plaintiff.</p>
<p style="text-align: right;">Page 3</p> <p>1 * * * * *</p> <p>2 I N D E X</p> <p>3 EXAMINATION</p> <p>4 PAGE LINE</p> <p>5 By Mr. Farid 6 22</p> <p>6</p> <p>7 PLAINTIFF'S EXHIBITS</p> <p>8 PAGE LINE</p> <p>9 Exhibit 1 Incident Report 78 2</p> <p>10 2/11/22</p> <p>11 Exhibit 2 Duty Office Report 100 5</p> <p>12 12/2/17</p> <p>13 Exhibit 3 Diagram of St. Clair 102 12</p> <p>14 Correctional Facility</p> <p>15 Exhibit 4 SOP Inmate Movement 124 15</p> <p>16 Control</p> <p>17</p> <p>18</p> <p>19 * * * * *</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES: (Cont.)</p> <p>2 BRETT E. MANISCO, ESQUIRE, of</p> <p>3 AKIN, GUMP, STRAUSS, HAUER & FELD, 1999</p> <p>4 Avenue of the Stars, Suite 600, Los</p> <p>5 Angeles, California, 90067, appearing</p> <p>6 remotely on behalf of the Plaintiff.</p> <p>7 ELLIE PUTMAN, ESQUIRE, of</p> <p>8 MAYNARD, COOPER & GALE, 655 Gallatin</p> <p>9 Street, Huntsville, Alabama, 35801,</p> <p>10 appearing on behalf of the Defendants.</p> <p>11 LANDON WHATLEY, ESQUIRE, of</p> <p>12 MAYNARD, COOPER & GALE, 655 Gallatin</p> <p>13 Street, Huntsville, Alabama, 35801,</p> <p>14 appearing remotely on behalf of the</p> <p>15 Defendants.</p> <p>16 PEGGY ROSSMANITH, ESQUIRE, of</p> <p>17 STATE OF ALABAMA, 501 Washington Avenue,</p> <p>18 Montgomery, Alabama, 36104, appearing</p> <p>19 remotely on behalf of the Defendant.</p> <p>20</p> <p>21</p> <p>22 * * * * *</p> <p>23</p>

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<p>1 Q. How many correctional officers 09:55:18</p> <p>2 are in the facility on a typical day or 09:55:24</p> <p>3 night shift? 09:55:27</p> <p>4 A. On the night shift? You said the 09:55:28</p> <p>5 night shift? 09:55:30</p> <p>6 Q. On both. The day shift and night 09:55:31</p> <p>7 shift. 09:55:33</p> <p>8 A. Maybe forty, fifty, maybe. I 09:55:34</p> <p>9 don't -- I'm unsure. 09:55:46</p> <p>10 Q. Is it your opinion that St. Clair 09:55:47</p> <p>11 has adequate staffing? 09:55:53</p> <p>12 MS. PUTMAN: Object to form. 09:55:54</p> <p>13 A. 10-4. Yes. 09:55:57</p> <p>14 Q. So, it's your opinion that St. 09:56:02</p> <p>15 Clair has enough officers? 09:56:07</p> <p>16 A. No. 09:56:08</p> <p>17 MS. PUTMAN: Object to form. 09:56:09</p> <p>18 A. Oh, no, sir. We could always 09:56:09</p> <p>19 have more officers. But we have good -- we 09:56:11</p> <p>20 have enough officers to run the shift. 09:56:13</p> <p>21 Q. So, is it fair to say that more 09:56:16</p> <p>22 officers would help keep you safe? 09:56:18</p> <p>23 MS. PUTMAN: Object to form. 09:56:21</p>	<p>1 A. No, sir. 09:57:28</p> <p>2 Q. Is it your opinion that it 09:57:29</p> <p>3 affects other correctional officers job 09:57:30</p> <p>4 performance? 09:57:34</p> <p>5 MS. PUTMAN: Object to form. 09:57:35</p> <p>6 A. I can't speak for other 09:57:38</p> <p>7 correctional officers. 09:57:39</p> <p>8 Q. How many times have you worked a 09:57:40</p> <p>9 sixteen-hour shift? 09:57:43</p> <p>10 A. In my career? 09:57:46</p> <p>11 Q. At St. Clair. 09:57:53</p> <p>12 A. At St. Clair? I can't put a 09:57:54</p> <p>13 number on it. 09:58:03</p> <p>14 Q. Would you say it's once a month? 09:58:07</p> <p>15 A. Since I've been back -- let me 09:58:13</p> <p>16 see. Since I've been back to St. Clair, 09:58:18</p> <p>17 since December, maybe five times in that 09:58:22</p> <p>18 time, in six months, seven months. 09:58:24</p> <p>19 Q. Are you aware of any rules or 09:58:33</p> <p>20 procedures that set the maximum number of 09:58:34</p> <p>21 hours that you should work in a twenty-four 09:58:37</p> <p>22 hour shift? 09:58:39</p> <p>23 A. It's an SOP, I believe, and 09:58:39</p>
Page 43	Page 45
<p>1 A. More officers -- I ain't going to 09:56:22</p> <p>2 say to keep me safe, but we could always 09:56:28</p> <p>3 use more officers. 09:56:30</p> <p>4 Q. Is it fair to say that more 09:56:31</p> <p>5 officers would keep the inmates safer? 09:56:33</p> <p>6 MS. PUTMAN: Object to form. 09:56:37</p> <p>7 A. I guess more officers will always 09:56:38</p> <p>8 -- I mean, more officers would help. 09:56:41</p> <p>9 Q. A few minutes ago you mentioned 09:56:49</p> <p>10 that you work overtime. What are the 09:56:53</p> <p>11 reasons that you work overtime? 09:56:55</p> <p>12 A. Take care of my family. 09:56:57</p> <p>13 Q. Do you ever work overtime because 09:57:00</p> <p>14 there's not enough staff to work and 09:57:02</p> <p>15 relieve you of duty? 09:57:04</p> <p>16 A. No, sir. 09:57:06</p> <p>17 Q. Does St. Clair ever mandate that 09:57:06</p> <p>18 you work a certain amount of overtime? 09:57:11</p> <p>19 A. Yes, sir. 09:57:13</p> <p>20 Q. How much? 09:57:17</p> <p>21 A. Three days a month. 09:57:18</p> <p>22 Q. And does that mandatory overtime 09:57:24</p> <p>23 affect your job performance? 09:57:26</p>	<p>1 sixteen is the max. 09:58:41</p> <p>2 Q. Have you ever worked more than 09:58:44</p> <p>3 sixteen hours in a twenty-four hour 09:58:48</p> <p>4 timeframe? 09:58:50</p> <p>5 A. I don't recall working more than 09:58:50</p> <p>6 sixteen hours at a time. 09:58:54</p> <p>7 Q. Are there any reasons why you 09:58:58</p> <p>8 would work more than sixteen hours? 09:58:59</p> <p>9 A. Maybe, if you work at the 09:59:02</p> <p>10 hospital, you might get relieved and your 09:59:06</p> <p>11 drive-time back to the facility might push 09:59:11</p> <p>12 you over sixteen hours. 09:59:18</p> <p>13 Q. Do you agree that working more 09:59:19</p> <p>14 than sixteen hours in a twenty-four hour 09:59:21</p> <p>15 time period could affect your job 09:59:24</p> <p>16 performance? 09:59:26</p> <p>17 MS. PUTMAN: Object to form. 09:59:27</p> <p>18 A. Yes, sir. 09:59:28</p> <p>19 Q. Could it affect your ability to 09:59:31</p> <p>20 be attentive? 09:59:32</p> <p>21 MS. PUTMAN: Object to form. 09:59:36</p> <p>22 A. To be what? 09:59:37</p> <p>23 Q. Attentive? 09:59:39</p>

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<p style="text-align: right;">Page 46</p> <p>1 A. Attentive? It's possible, yes. 09:59:40</p> <p>2 Q. Have you ever fallen asleep while 09:59:43</p> <p>3 on duty? 09:59:46</p> <p>4 A. No, sir. 09:59:48</p> <p>5 Q. Have you heard of instances where 09:59:52</p> <p>6 other correctional officers have fallen 09:59:56</p> <p>7 asleep while on duty? 09:59:58</p> <p>8 A. Yes, sir. 09:59:59</p> <p>9 Q. Can you tell me about that? 10:00:03</p> <p>10 A. I just heard they fell asleep. 10:00:05</p> <p>11 Q. Who did you hear that from? 10:00:12</p> <p>12 A. Just -- let me say an officer. 10:00:13</p> <p>13 Q. Did an officer tell you that they 10:00:21</p> <p>14 fell asleep while on duty? 10:00:23</p> <p>15 A. No. They didn't tell me. 10:00:25</p> <p>16 Q. So, is it fair to say you've 10:00:27</p> <p>17 heard from other officers about other 10:00:35</p> <p>18 officers falling asleep on duty? 10:00:35</p> <p>19 A. Yes. It's safe to say I've heard 10:00:35</p> <p>20 that before. 10:00:35</p> <p>21 Q. Has an inmate ever told you that? 10:00:35</p> <p>22 MS. PUTMAN: Object to form. 10:00:37</p> <p>23 A. No, sir. 10:00:37</p>	<p style="text-align: right;">Page 48</p> <p>1 A. 10/2018. 10:20:55</p> <p>2 Q. And when you say you leave, where 10:20:57</p> <p>3 did you go? 10:20:58</p> <p>4 A. I went to Birmingham 10:20:59</p> <p>5 Work-Release. 10:21:01</p> <p>6 Q. And when did you return to St. 10:21:01</p> <p>7 Clair? 10:21:01</p> <p>8 A. December, 2021. 10:21:12</p> <p>9 Q. As a correctional officer, did 10:21:14</p> <p>10 you ever provide written reports? 10:21:16</p> <p>11 A. I had to keep a log of what 10:21:17</p> <p>12 happened throughout the day while I was in 10:21:21</p> <p>13 that unit. 10:21:22</p> <p>14 Q. Can you tell me more about that? 10:21:24</p> <p>15 A. I just -- you just document the 10:21:26</p> <p>16 activities that happen in that block. 10:21:30</p> <p>17 Q. Did you check in with somebody on 10:21:33</p> <p>18 a daily basis? 10:21:34</p> <p>19 A. Yes. 10:21:37</p> <p>20 Q. Who? 10:21:38</p> <p>21 A. My supervisor, which was 10:21:39</p> <p>22 Lieutenant Baker. 10:21:45</p> <p>23 Q. What about in your current role? 10:21:49</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Is sleeping on the job permitted 10:00:38</p> <p>2 under the ADOC's policies? 10:00:41</p> <p>3 A. No, sir. 10:00:43</p> <p>4 Q. Do you agree that under the 10:00:45</p> <p>5 ADOC's policies, sleeping on the job is not 10:00:47</p> <p>6 permitted and may be cause for discipline, 10:00:50</p> <p>7 including suspension? 10:00:52</p> <p>8 MS. PUTMAN: Object to form. 10:00:54</p> <p>9 A. Yes, sir. 10:00:58</p> <p>10 (Recess taken.) 10:01:03</p> <p>11 Q. Ms. Price, let's go back to your 10:20:14</p> <p>12 background for a little bit. What was your 10:20:19</p> <p>13 job at St. Clair when you first started? 10:20:21</p> <p>14 A. I was a CO. 10:20:23</p> <p>15 Q. Were you a correctional officer 10:20:25</p> <p>16 in December 2017? 10:20:29</p> <p>17 A. Yes, sir. 10:20:31</p> <p>18 Q. And when did your job change? 10:20:33</p> <p>19 A. It changed, 2018. 10:20:35</p> <p>20 Q. Do you recall when in 2018? 10:20:46</p> <p>21 A. Ten, October. 10:20:48</p> <p>22 Q. You testified earlier that you 10:20:51</p> <p>23 left. When did you leave? 10:20:54</p>	<p style="text-align: right;">Page 49</p> <p>1 Do you check in with someone on a daily 10:21:51</p> <p>2 basis? 10:21:54</p> <p>3 A. Warden Noe. 10:21:54</p> <p>4 Q. Other than Warden Noe, do you 10:21:55</p> <p>5 check in with anyone else on a daily basis? 10:21:57</p> <p>6 A. No, sir. 10:21:59</p> <p>7 Q. You testified earlier that you 10:22:00</p> <p>8 could always use more officers. Could you 10:22:02</p> <p>9 tell me more about that? 10:22:04</p> <p>10 A. Everybody is short. Everybody 10:22:06</p> <p>11 could use more people to work. So, every 10:22:09</p> <p>12 job could have more workers. 10:22:19</p> <p>13 Q. But in this job, specifically, 10:22:21</p> <p>14 what would -- what would more officers do 10:22:24</p> <p>15 to help you or the inmates? 10:22:27</p> <p>16 MS. PUTMAN: Object to form. 10:22:28</p> <p>17 A. More officers would be just more 10:22:30</p> <p>18 staff. More people able to move around. 10:22:33</p> <p>19 Q. What would having more people 10:22:43</p> <p>20 able to move around provide to the 10:22:45</p> <p>21 facility? 10:22:48</p> <p>22 A. More security, I would imagine. 10:22:49</p> <p>23 Q. More security for you? 10:22:52</p>

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<p style="text-align: right;">Page 50</p> <p>1 A. More security for everybody. 10:22:54</p> <p>2 Q. Is it fair to say it would 10:22:56</p> <p>3 provide more security for the officers and 10:22:58</p> <p>4 the inmates? 10:23:00</p> <p>5 A. Yes, sir. 10:23:01</p> <p>6 Q. You testified earlier that there 10:23:02</p> <p>7 were new gates that were put up. Were 10:23:14</p> <p>8 those gates there in December of 2017? 10:23:18</p> <p>9 A. '17? No, sir. 10:23:21</p> <p>10 Q. When were those gates installed? 10:23:22</p> <p>11 A. I don't know. 10:23:24</p> <p>12 Q. You also testified earlier about 10:23:26</p> <p>13 restrictive housing. What is restrictive 10:23:30</p> <p>14 housing; can you tell me about that? 10:23:33</p> <p>15 A. It's where inmates are assigned 10:23:34</p> <p>16 that have disciplinary time where they did 10:23:37</p> <p>17 something that they didn't have no business 10:23:41</p> <p>18 doing. So, it's segregation time. 10:23:44</p> <p>19 Q. What is the purpose of that? 10:23:47</p> <p>20 A. It's, like, if an inmate was 10:23:49</p> <p>21 fighting, it's where they go to for a 10:23:54</p> <p>22 certain amount of time. 10:23:57</p> <p>23 Q. Does the restrictive housing keep 10:23:59</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Why would an inmate not want to 10:25:18</p> <p>2 be housed in general population with other 10:25:22</p> <p>3 inmates? 10:25:23</p> <p>4 A. Like, with me, I deal with PREA. 10:25:24</p> <p>5 Some are transgender. They just want to 10:25:29</p> <p>6 be, you know, in a block with a certain 10:25:32</p> <p>7 amount of people. They don't come out and 10:25:35</p> <p>8 interact with everybody else. 10:25:38</p> <p>9 Q. So, do inmates request to be in 10:25:41</p> <p>10 the special safety unit because they fear 10:25:43</p> <p>11 for their safety? 10:25:45</p> <p>12 A. I'm not going to say fear for 10:25:46</p> <p>13 safety, they just -- some just like that 10:25:48</p> <p>14 block, like, being in that building because 10:25:54</p> <p>15 they don't have to come out with everybody 10:25:57</p> <p>16 else. It's kind of in its own little area. 10:25:58</p> <p>17 Q. Are the special safety units 10:26:02</p> <p>18 safer than the general population? 10:26:04</p> <p>19 MS. PUTMAN: Object to form. 10:26:12</p> <p>20 A. It's no different to me. I don't 10:26:12</p> <p>21 believe there's any difference. 10:26:12</p> <p>22 Q. So, other than being a smaller 10:26:13</p> <p>23 population in the special safety unit, are 10:26:15</p>
<p style="text-align: right;">Page 51</p> <p>1 the inmates safer? 10:24:01</p> <p>2 MS. PUTMAN: Object to form. 10:24:03</p> <p>3 A. Yes, I guess so. I guess. 10:24:04</p> <p>4 Q. Can you tell me more about that? 10:24:18</p> <p>5 A. They're in a single cell by their 10:24:20</p> <p>6 self. So, housed alone until their 10:24:23</p> <p>7 disciplinary time is up for whatever reason 10:24:29</p> <p>8 they went back there. And then they go 10:24:32</p> <p>9 back out to population, if they don't have 10:24:34</p> <p>10 an enemy or something like that. 10:24:37</p> <p>11 Q. Would you say that inmates that 10:24:39</p> <p>12 are housed in restrictive housing are kept 10:24:42</p> <p>13 from -- are prevented from hurting other 10:24:45</p> <p>14 inmates? 10:24:49</p> <p>15 MS. PUTMAN: Object to form. 10:24:50</p> <p>16 A. It depends on what they went back 10:24:50</p> <p>17 there for. 10:24:52</p> <p>18 Q. You also testified earlier about 10:24:54</p> <p>19 a special safety unit. Can you tell me 10:24:56</p> <p>20 about that? 10:24:59</p> <p>21 A. It's for -- it's for inmates that 10:24:59</p> <p>22 don't want to be housed out in population 10:25:15</p> <p>23 with the other inmates. 10:25:17</p>	<p style="text-align: right;">Page 53</p> <p>1 there any other differences between it and 10:26:18</p> <p>2 the general population? 10:26:20</p> <p>3 A. The other ones can, like, go -- 10:26:21</p> <p>4 they walk to chow. They are able to go to 10:26:23</p> <p>5 the chow hall and eat chow hall in there. 10:26:25</p> <p>6 They go to the gym or go -- it's a little 10:26:31</p> <p>7 different. 10:26:36</p> <p>8 Q. Okay. Let's go back for a minute 10:26:37</p> <p>9 to your time as a correctional officer. 10:26:42</p> <p>10 Would you say that correctional officers 10:26:44</p> <p>11 are responsible for keeping inmates safe? 10:26:46</p> <p>12 A. Yes, sir. 10:26:49</p> <p>13 Q. Can you tell me more about that? 10:26:50</p> <p>14 A. Yeah. We are responsible for 10:26:51</p> <p>15 keeping inmates safe, staff safe, the 10:26:55</p> <p>16 public safe. 10:26:58</p> <p>17 Q. And how do you do that? 10:27:01</p> <p>18 A. Just doing your job. Patrolling, 10:27:02</p> <p>19 being aware, looking at anything unusual 10:27:06</p> <p>20 that could be going on in the facility. 10:27:10</p> <p>21 Just holding the inmates accountable for 10:27:12</p> <p>22 what they supposed to be doing and what 10:27:16</p> <p>23 they're not supposed to be doing. 10:27:17</p>

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<p>1 Q. What do you use your email for? 10:45:09</p> <p>2 A. I receive documents from the 10:45:12</p> <p>3 shift, any inmate movement, messages from 10:45:16</p> <p>4 my supervisor. 10:45:21</p> <p>5 Q. How often do you use that email? 10:45:24</p> <p>6 A. Every day. 10:45:25</p> <p>7 Q. Do you receive emails from 10:45:26</p> <p>8 correctional officers on there? 10:45:28</p> <p>9 A. Yes, sir. 10:45:30</p> <p>10 Q. Do those emails come from ADOC 10:45:31</p> <p>11 emails? 10:45:33</p> <p>12 A. I believe it come from the 10:45:36</p> <p>13 printer. 10:45:40</p> <p>14 Q. What does that mean? 10:45:42</p> <p>15 A. They scan it to me from the 10:45:43</p> <p>16 printer. 10:45:45</p> <p>17 Q. Have you ever received an email 10:45:46</p> <p>18 from a correctional officer that came from 10:45:48</p> <p>19 an ADOC email? 10:45:51</p> <p>20 A. Yes, sir. 10:45:52</p> <p>21 Q. Would it surprise you if a 10:45:53</p> <p>22 correctional officer testified that they 10:45:57</p> <p>23 did not have access to an ADOC email? 10:45:58</p>	<p>1 duty? 10:47:35</p> <p>2 A. I believe he said he had a 10:47:35</p> <p>3 doctor's appointment earlier that day. I 10:47:37</p> <p>4 think that's what it was. 10:47:41</p> <p>5 Q. Do you know anything about how 10:47:42</p> <p>6 long he worked that day? 10:47:43</p> <p>7 A. I don't. 10:47:45</p> <p>8 Q. Were you surprised to hear that a 10:47:48</p> <p>9 correctional officer fell asleep on duty? 10:47:50</p> <p>10 A. Yes. 10:47:53</p> <p>11 Q. Why is that? 10:47:55</p> <p>12 A. Because we have great officers 10:47:55</p> <p>13 there, and I don't see it. No lie. I 10:47:58</p> <p>14 don't see it happen a lot. 10:48:06</p> <p>15 Q. How many times have you seen it 10:48:14</p> <p>16 happen? 10:48:14</p> <p>17 A. I ain't never seen it happen, but 10:48:14</p> <p>18 that's the first I've heard that an officer 10:48:14</p> <p>19 went to sleep. 10:48:14</p> <p>20 Q. To your knowledge, there aren't 10:48:16</p> <p>21 any other incidents of correctional 10:48:17</p> <p>22 officers falling asleep? 10:48:21</p> <p>23 A. Not of me knowing. 10:48:22</p>
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<p>1 A. No, sir. 10:46:01</p> <p>2 Q. Why is that? 10:46:03</p> <p>3 A. I didn't have none when I was a 10:46:04</p> <p>4 CO. 10:46:06</p> <p>5 Q. Do only some correctional 10:46:07</p> <p>6 officers get ADOC emails? 10:46:09</p> <p>7 A. I don't know. 10:46:11</p> <p>8 Q. You testified earlier that you 10:46:12</p> <p>9 heard from a correctional officer about 10:46:26</p> <p>10 another correctional officer falling asleep 10:46:29</p> <p>11 on duty. When did you hear that? 10:46:31</p> <p>12 A. Maybe about a couple months ago, 10:46:32</p> <p>13 something like that. 10:46:50</p> <p>14 Q. How many officers were they 10:46:51</p> <p>15 referring to? 10:46:53</p> <p>16 A. One. 10:46:54</p> <p>17 Q. Which officers were they 10:46:56</p> <p>18 referring to? 10:46:57</p> <p>19 A. I think it's -- what is his name? 10:46:58</p> <p>20 A CO. Let me see. I think his name is 10:47:11</p> <p>21 Officer Hitchcock. 10:47:18</p> <p>22 Q. Do you know why someone like 10:47:34</p> <p>23 Officer Hitchcock would fall asleep on 10:47:34</p>	<p>1 Q. You testified earlier that if 10:48:24</p> <p>2 there was inmate-on-inmate violence and 10:48:31</p> <p>3 there was a weapon involved, that you would 10:48:33</p> <p>4 intervene; correct? 10:48:36</p> <p>5 A. Yes, sir. 10:48:37</p> <p>6 Q. What does it mean to intervene? 10:48:38</p> <p>7 A. I am going to go in and try to 10:48:39</p> <p>8 stop the inmates from fighting or hurting 10:48:41</p> <p>9 each other. 10:48:43</p> <p>10 Q. What does it mean to go in? 10:48:45</p> <p>11 A. I'm going to step in and stop the 10:48:48</p> <p>12 fight. 10:48:49</p> <p>13 Q. Can you tell me more about what 10:48:52</p> <p>14 you might do, what tactics you might use? 10:48:53</p> <p>15 A. I'm going to give them a direct 10:48:55</p> <p>16 order and then I'm going to utilize my OC 10:48:57</p> <p>17 spray. 10:49:01</p> <p>18 Q. So, to be clear, if you give a 10:49:01</p> <p>19 direct order in that situation and they did 10:49:02</p> <p>20 not comply, you would spray? 10:49:07</p> <p>21 A. Yes. I'm going to spray and I'm 10:49:08</p> <p>22 going to attempt to separate. 10:49:10</p> <p>23 (Plaintiff's Exhibit 1 10:49:10</p>

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<p>1 he's, like: I'm not going to the cell. 10:56:02</p> <p>2 And just pulling -- pulled away and went 10:56:05</p> <p>3 the other direction. 10:56:08</p> <p>4 Q. Did you fear for your safety in 10:56:09</p> <p>5 that moment? 10:56:11</p> <p>6 A. No. 10:56:12</p> <p>7 Q. Did you think you might be in 10:56:13</p> <p>8 danger in that moment? 10:56:15</p> <p>9 A. No. 10:56:16</p> <p>10 Q. Why did you administer the 10:56:16</p> <p>11 chemical agent? 10:56:18</p> <p>12 MS. PUTMAN: Object to form. 10:56:20</p> <p>13 A. Because he pulled away. He 10:56:20</p> <p>14 pulled away and I had gave him several 10:56:22</p> <p>15 direct orders to go to the cell and he was 10:56:25</p> <p>16 refusing -- refusing. So, when he pulled 10:56:27</p> <p>17 away, it was -- yeah. 10:56:32</p> <p>18 Q. So, in what situations would you 10:56:43</p> <p>19 administer a chemical agent? 10:56:45</p> <p>20 MS. PUTMAN: Object to form. 10:56:47</p> <p>21 A. If you're walking -- I think if 10:56:48</p> <p>22 you're walking towards somebody, you know, 10:56:51</p> <p>23 and they're giving you a direct order to 10:56:56</p>	<p>1 administered the chemical agent because he 10:58:25</p> <p>2 refused to lockdown, but what purpose does 10:58:27</p> <p>3 the chemical agent serve? 10:58:30</p> <p>4 MS. PUTMAN: Object to form. 10:58:32</p> <p>5 A. To get them to stop. To stop 10:58:32</p> <p>6 being aggressive. Because once he snatched 10:58:36</p> <p>7 away, it's like, he snatched -- he snatched 10:58:39</p> <p>8 away from me. He was -- he was aggressive. 10:58:41</p> <p>9 He was -- you know, he was angry. He was 10:58:45</p> <p>10 aggressive, and we needed to get him on out 10:58:47</p> <p>11 -- to calm down and on out of there before 10:58:52</p> <p>12 he made the whole block, you know, upset 10:58:56</p> <p>13 too. 10:58:59</p> <p>14 Q. Are you trained to use a chemical 10:59:00</p> <p>15 agent? 10:59:03</p> <p>16 A. I am, yes, sir. 10:59:04</p> <p>17 Q. Does every correctional officer 10:59:05</p> <p>18 know how to use a chemical agent? 10:59:07</p> <p>19 A. Yes, sir. 10:59:09</p> <p>20 Q. Does every correctional officer 10:59:10</p> <p>21 have a chemical agent on their body at all 10:59:11</p> <p>22 times? 10:59:14</p> <p>23 A. Yes, sir. 10:59:14</p>
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<p>1 stop and they're walking towards you in 10:56:58</p> <p>2 your -- like in your area. What is it 10:57:04</p> <p>3 called? I can't say what it's called. I 10:57:06</p> <p>4 can't say the proper word. 10:57:18</p> <p>5 I don't know. It's in your hand 10:57:33</p> <p>6 area. Like, I don't know. I don't believe 10:57:35</p> <p>7 that inmate -- you know, I think he was 10:57:39</p> <p>8 just angry, you know. And I wanted to 10:57:44</p> <p>9 de-escalate the situation, you know, and 10:57:48</p> <p>10 talking to him wasn't working. And, so, 10:57:49</p> <p>11 once he snatched away, you know, it's my 10:57:52</p> <p>12 job to make sure that they don't go further 10:57:57</p> <p>13 than what it is. 10:58:01</p> <p>14 Q. If you had not shot the chemical 10:58:02</p> <p>15 agent, what may have happened? 10:58:05</p> <p>16 MS. PUTMAN: Object to form. 10:58:07</p> <p>17 A. He could have possibly caused a 10:58:08</p> <p>18 riot to make everybody else not want to 10:58:10</p> <p>19 lockdown. Like, I'm not going to lockdown 10:58:13</p> <p>20 and he could have possibly caused a riot, 10:58:15</p> <p>21 initiating more people to refuse to 10:58:18</p> <p>22 lockdown. 10:58:21</p> <p>23 Q. So, I understand that you 10:58:23</p>	<p>1 Q. Was that the case in 2017? 10:59:15</p> <p>2 A. What's the case? What happened 10:59:17</p> <p>3 in 2017? 10:59:19</p> <p>4 Q. Did correctional officers always 10:59:21</p> <p>5 have chemical agents on their body in 2017? 10:59:24</p> <p>6 A. Yes, sir. I imagine, yes. 10:59:28</p> <p>7 Q. So, I'm a little confused. So, 10:59:29</p> <p>8 let's clarify for the Record. Did you 10:59:32</p> <p>9 administer the chemical agent to get this 10:59:36</p> <p>10 individual to follow your orders or he was 10:59:41</p> <p>11 being aggressive? 10:59:46</p> <p>12 A. He was being aggressive. He was 10:59:47</p> <p>13 being aggressive. 10:59:49</p> <p>14 Q. If you turn to the first page of 10:59:53</p> <p>15 the incident report under type of incident, 10:59:55</p> <p>16 where it says: Injury, accident, inmate 11:00:00</p> <p>17 serious. Do you know what that means for 11:00:04</p> <p>18 it to be serious? 11:00:06</p> <p>19 MS. PUTMAN: Object to form. 11:00:08</p> <p>20 A. Say it again. 11:00:09</p> <p>21 Q. Under number 6, type of incident. 11:00:10</p> <p>22 A. Okay. 11:00:14</p> <p>23 Q. On the second-to-last line where 11:00:15</p>

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<p>1 P dorm. Would seeing a map of St. Clair 11:35:40</p> <p>2 refresh your recollection? 11:35:50</p> <p>3 A. Leaving from P dorm? He should 11:35:51</p> <p>4 have passed at least three. 11:35:57</p> <p>5 Q. So, it's fair to say that 11:36:03</p> <p>6 Whittington probably passed by at least 11:36:05</p> <p>7 three guards on his way to the H dorm? 11:36:07</p> <p>8 A. I think, to come from P, I think 11:36:10</p> <p>9 that he should have passed three. 11:36:12</p> <p>10 (Plaintiff's Exhibit 3 11:36:12</p> <p>11 was marked for 11:36:12</p> <p>12 identification.) 11:36:15</p> <p>13 Q. Would he have passed by any 11:36:15</p> <p>14 closed doors or gates? 11:36:17</p> <p>15 I'm going to introduce what we're 11:36:26</p> <p>16 marking as Plaintiff's Exhibit 3. 11:36:27</p> <p>17 MS. PUTMAN: I would say we want 11:36:55</p> <p>18 to mark this portion of the transcript as 11:36:56</p> <p>19 highly confidential. 11:37:00</p> <p>20 Q. Do you recognize this diagram? 11:37:09</p> <p>21 A. Yes. This is St. Clair 11:37:11</p> <p>22 Correctional Facility. 11:37:17</p> <p>23 Q. Do you see where the P dorm is on 11:37:17</p>	<p>1 A. Depending on -- yes, yes. Should 11:38:29</p> <p>2 have. 11:38:32</p> <p>3 Q. What about doors? 11:38:33</p> <p>4 A. He have his building door -- I 11:38:36</p> <p>5 mean, he have his block door, so that's 11:38:38</p> <p>6 two. 11:38:45</p> <p>7 Q. So, two doors and three gates? 11:38:46</p> <p>8 A. Two doors, yes. 11:38:48</p> <p>9 Q. What if he were coming from the 11:38:52</p> <p>10 kitchen? 11:38:54</p> <p>11 A. And if he was coming from the 11:38:55</p> <p>12 kitchen? Two. 11:38:57</p> <p>13 Q. Doors or gates? 11:39:02</p> <p>14 A. Gates. Gates. 11:39:04</p> <p>15 Q. And what about doors? 11:39:07</p> <p>16 A. Two. 11:39:08</p> <p>17 Q. Are any of those gates or doors 11:39:13</p> <p>18 locked? 11:39:16</p> <p>19 A. Yes. It's -- sometimes. It 11:39:16</p> <p>20 depends on what's going on. Was he working 11:39:23</p> <p>21 in the kitchen? 11:39:25</p> <p>22 Q. Let's stick with -- let's stick 11:39:31</p> <p>23 with he was either in the kitchen or the P 11:39:33</p>
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<p>1 this diagram? 11:37:19</p> <p>2 A. I do. Yes. 11:37:21</p> <p>3 Q. Do you see where the H dorm is on 11:37:25</p> <p>4 the diagram? 11:37:27</p> <p>5 A. Yes. 11:37:29</p> <p>6 Q. Is this diagram an accurate 11:37:30</p> <p>7 reflection of the placement of the dorms in 11:37:32</p> <p>8 the facility? 11:37:36</p> <p>9 A. Yes, sir. 11:37:36</p> <p>10 Q. So, looking at this diagram, if 11:37:37</p> <p>11 Whittington was coming from the P dorm to 11:37:42</p> <p>12 the H dorm, how many gates or closed doors 11:37:46</p> <p>13 would he have had to pass? 11:37:50</p> <p>14 A. Coming out of his block; right? 11:37:51</p> <p>15 Q. Assuming he was in his block, 11:37:54</p> <p>16 sure. 11:37:57</p> <p>17 A. His door, the block door. Oh, 11:37:57</p> <p>18 you said gates. Let me see. Gates. One, 11:38:02</p> <p>19 two, three. Three. 11:38:12</p> <p>20 Q. So, Whittington would have had to 11:38:20</p> <p>21 pass through three gates on his way to the 11:38:23</p> <p>22 H dorm, if he were coming from the P dorm; 11:38:25</p> <p>23 correct? 11:38:29</p>	<p>1 dorm. Let's just talk about either of 11:39:36</p> <p>2 those situations. 11:39:38</p> <p>3 A. Okay. 11:39:39</p> <p>4 Q. He -- how could someone like 11:39:40</p> <p>5 Whittington have gone through those gates 11:39:43</p> <p>6 or doors, if they had locks on them? 11:39:45</p> <p>7 A. Okay. So, if they were locked, 11:39:49</p> <p>8 someone would have had to let him in, if 11:39:53</p> <p>9 they were locked. He wouldn't have had a 11:39:55</p> <p>10 key. Officer would have had to let him in. 11:39:57</p> <p>11 Q. Does that often happen? Officers 11:40:00</p> <p>12 let inmates go from block to block? 11:40:04</p> <p>13 A. H dorm normally comes up to go to 11:40:07</p> <p>14 the gym. So, the gate will open for those 11:40:10</p> <p>15 guys to come up. 11:40:15</p> <p>16 If he's in the kitchen, and we're 11:40:16</p> <p>17 letting H dorm come up to go to the gym, he 11:40:19</p> <p>18 could go through that gate while that gate 11:40:21</p> <p>19 is open, while we're having the movement. 11:40:24</p> <p>20 Q. So, are you saying that there is 11:40:26</p> <p>21 a way for an inmate to get from the kitchen 11:40:27</p> <p>22 to the H dorm without passing by any locked 11:40:31</p> <p>23 doors? 11:40:34</p>

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<p>1 A. No, it would be a gate. But, 11:40:34</p> <p>2 what I'm saying, if we're releasing H dorm 11:40:37</p> <p>3 and it's an inmate in the kitchen, he can 11:40:40</p> <p>4 go through that gate while we're releasing 11:40:43</p> <p>5 H dorm to come up to go to the gym. 11:40:46</p> <p>6 Q. Does that concern you at all? 11:40:49</p> <p>7 A. It don't concern -- no, it don't. 11:40:51</p> <p>8 Q. It doesn't concern you that in 11:40:54</p> <p>9 that specific situation -- 11:41:03</p> <p>10 A. That if we're letting H dorm come 11:41:03</p> <p>11 up and -- I mean, he should be wrote up 11:41:03</p> <p>12 because he went down there and he don't 11:41:05</p> <p>13 live down there, but, yeah, I guess so. 11:41:08</p> <p>14 Yeah. He should be wrote up for being in 11:41:10</p> <p>15 an unauthorized area. 11:41:13</p> <p>16 But us opening up that gate to 11:41:15</p> <p>17 let that H dorm come up to the gym, that's 11:41:17</p> <p>18 normal for us to open the gate and let them 11:41:21</p> <p>19 come up to go to the gym or to open that 11:41:24</p> <p>20 gate to let them go eat. 11:41:27</p> <p>21 Q. Is it concerning that an inmate 11:41:29</p> <p>22 can get to an unauthorized area so freely? 11:41:32</p> <p>23 MS. PUTMAN: Object to form. 11:41:33</p>	<p>1 happening? 11:42:26</p> <p>2 A. To continue to keep the gates 11:42:26</p> <p>3 locked, making sure that officers are 11:42:27</p> <p>4 watching who is in an unauthorized area. 11:42:30</p> <p>5 Making sure to keep those guys from going 11:42:35</p> <p>6 down there to H, so, yes. 11:42:39</p> <p>7 Q. Why weren't those gates locked on 11:42:40</p> <p>8 this day in question? 11:42:42</p> <p>9 A. I don't know. I didn't know the 11:42:43</p> <p>10 gates were unlocked. I don't know. I 11:42:46</p> <p>11 don't know. 11:42:49</p> <p>12 Q. Would Whittington have had to 11:42:49</p> <p>13 pass by any cameras? 11:42:55</p> <p>14 A. I don't know. 11:42:58</p> <p>15 Q. What about metal detectors? 11:43:01</p> <p>16 A. I don't know what's going on at 11:43:06</p> <p>17 this time, so, I don't know if he would 11:43:13</p> <p>18 have -- if it's chow time, he would have 11:43:15</p> <p>19 had to. We have an officer scanning, using 11:43:17</p> <p>20 a scanner. So, I don't know what's 11:43:19</p> <p>21 happening at this time, what was going on 11:43:21</p> <p>22 on this day. 11:43:25</p> <p>23 Q. How do you think he was able to 11:43:28</p>
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<p>1 A. It's not so freely. It's not 11:41:34</p> <p>2 freely. It don't happen freely, but it can 11:41:38</p> <p>3 happen. It's not no freely thing that they 11:41:41</p> <p>4 can just move around and go through gates 11:41:43</p> <p>5 and -- it's not. So, for him to get down 11:41:47</p> <p>6 there, yes, it is a concern that he made it 11:41:52</p> <p>7 down there. 11:41:55</p> <p>8 Q. Does that contribute to violence 11:41:56</p> <p>9 at St. Clair? 11:41:58</p> <p>10 MS. PUTMAN: Object to form. 11:42:00</p> <p>11 A. Him going to? 11:42:00</p> <p>12 Q. An inmate being able to go from 11:42:01</p> <p>13 one area to an unauthorized area. 11:42:05</p> <p>14 A. I don't know if it contributes to 11:42:07</p> <p>15 the violence. I don't know. 11:42:09</p> <p>16 Q. Okay. What about in this 11:42:10</p> <p>17 situation here? 11:42:12</p> <p>18 A. In this situation? The guy going 11:42:14</p> <p>19 down, yes, this is a problem because 11:42:16</p> <p>20 somebody got hurt. So, yes, this is a 11:42:18</p> <p>21 problem. 11:42:20</p> <p>22 Q. And are there any procedures in 11:42:21</p> <p>23 place from preventing that exact thing from 11:42:22</p>	<p>1 make it to the H dorm with a weapon? 11:43:29</p> <p>2 MS. PUTMAN: Object to form. 11:43:33</p> <p>3 A. He had to hide it. I think he 11:43:35</p> <p>4 had to hide it real good. 11:43:40</p> <p>5 Q. Can inmates hide weapons so well 11:43:43</p> <p>6 that they go undetected by a metal 11:43:46</p> <p>7 detector? 11:43:48</p> <p>8 A. Evidently he did. I guess he 11:43:51</p> <p>9 did. 11:43:56</p> <p>10 Q. Were any changes instituted as a 11:43:56</p> <p>11 result of that? 11:43:59</p> <p>12 A. We are -- I don't know if there's 11:43:59</p> <p>13 any changes made. We just continue -- 11:44:05</p> <p>14 we're searching and doing shakedowns, 11:44:08</p> <p>15 pat-downs, using our metal detectors. So, 11:44:11</p> <p>16 we've been doing this, so, making sure 11:44:18</p> <p>17 we're more thorough, I guess. 11:44:20</p> <p>18 Q. You testified earlier that you 11:44:22</p> <p>19 check in with Warden Noe on a daily basis? 11:44:24</p> <p>20 A. I do. 11:44:27</p> <p>21 Q. Did he do anything in response to 11:44:27</p> <p>22 this to make sure that weapons aren't 11:44:29</p> <p>23 traveling freely? 11:44:32</p>

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<p>1 A. Have I what? 11:53:09</p> <p>2 Q. Do you have a duty to intervene? 11:53:09</p> <p>3 A. I believe we do. 11:53:09</p> <p>4 Q. Would you be surprised if other 11:53:09</p> <p>5 correctional officers were not intervening 11:53:10</p> <p>6 in those situations? 11:53:13</p> <p>7 A. I believe they would intervene. 11:53:14</p> <p>8 Q. You would -- 11:53:16</p> <p>9 A. I have to believe that they are 11:53:17</p> <p>10 going to intervene. 11:53:19</p> <p>11 Q. Are you surprised that Officer 11:53:20</p> <p>12 Walker testified that he did not intervene 11:53:21</p> <p>13 on inmate-on-inmate violence because he was 11:53:26</p> <p>14 outnumbered? 11:53:28</p> <p>15 MS. PUTMAN: Object to form. 11:53:29</p> <p>16 A. I am surprised. 11:53:30</p> <p>17 Q. Can you tell me more about that? 11:53:32</p> <p>18 A. I just -- it's your job. I 11:53:33</p> <p>19 believe that it don't matter about me being 11:53:36</p> <p>20 outnumbered, it don't matter about me being 11:53:39</p> <p>21 a female. I'm going in and help whoever is 11:53:43</p> <p>22 being hurt or in distress. I'm doing it. 11:53:45</p> <p>23 I signed up for it. 11:53:49</p>	<p>1 Q. In that training, were you ever 11:54:39</p> <p>2 instructed not to intervene if you're 11:54:40</p> <p>3 alone? 11:54:42</p> <p>4 A. I wasn't. 11:54:43</p> <p>5 Q. Were you ever instructed to not 11:54:43</p> <p>6 intervene if you were outnumbered? 11:54:46</p> <p>7 A. No, I wasn't. 11:54:47</p> <p>8 Q. So, it's safe to say that, no 11:54:48</p> <p>9 matter how many people are there, if 11:54:49</p> <p>10 there's inmate-on-inmate violence -- 11:54:49</p> <p>11 A. You call for assistance and 11:54:51</p> <p>12 somebody is coming. And you stop, you step 11:54:52</p> <p>13 in there and deescalate that situation. 11:54:54</p> <p>14 Q. And to be clear, you would step 11:54:59</p> <p>15 in there -- 11:55:00</p> <p>16 A. I would step in. 11:55:01</p> <p>17 Q. -- even before the backup 11:55:02</p> <p>18 arrived? 11:55:04</p> <p>19 A. Yes, sir. I would. 11:55:04</p> <p>20 Q. Can you tell me about the 11:55:08</p> <p>21 wristband policy at St. Clair? 11:55:09</p> <p>22 A. The what? 11:55:11</p> <p>23 Q. The wristband policy. 11:55:12</p>
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<p>1 Q. Why do you think Officer Walker 11:53:51</p> <p>2 failed to intervene? 11:53:53</p> <p>3 MS. PUTMAN: Object to form. 11:53:54</p> <p>4 A. I don't know. 11:53:54</p> <p>5 Q. Do you believe that an officer 11:54:00</p> <p>6 who does not intervene in a situation like 11:54:01</p> <p>7 that should be disciplined? 11:54:03</p> <p>8 MS. PUTMAN: Object to form. 11:54:05</p> <p>9 A. Yes. 11:54:06</p> <p>10 Q. Are there any policies in place 11:54:07</p> <p>11 about discipline in such a situation? 11:54:09</p> <p>12 A. I'm pretty sure it is. 11:54:11</p> <p>13 Q. Can you tell me more about that? 11:54:13</p> <p>14 A. You don't do your job. Failure 11:54:15</p> <p>15 to do your job. I have to look at the 11:54:24</p> <p>16 admin reg, pull it up and see what to write 11:54:27</p> <p>17 them up on, what is up under that 11:54:29</p> <p>18 qualification, but I'm pretty sure it's 11:54:32</p> <p>19 something. 11:54:34</p> <p>20 Q. You testified earlier that you 11:54:35</p> <p>21 received training about intervention and 11:54:37</p> <p>22 deescalation. 11:54:38</p> <p>23 A. Yes. 11:54:38</p>	<p>1 A. They supposed to have a wristband 11:55:14</p> <p>2 on and it notifies what building they live 11:55:16</p> <p>3 in. 11:55:19</p> <p>4 Q. How long has that policy been in 11:55:19</p> <p>5 place? 11:55:22</p> <p>6 A. I don't know, sir. 11:55:22</p> <p>7 Q. Was it in place in December of 11:55:23</p> <p>8 2017? 11:55:26</p> <p>9 A. I don't know. I don't know. 11:55:27</p> <p>10 Q. Has it not been there the whole 11:55:39</p> <p>11 time that you've worked at St. Clair? 11:55:41</p> <p>12 A. I don't know. I think so. I'm 11:55:44</p> <p>13 going to say yes. 11:55:55</p> <p>14 Q. Yes, it has been there? 11:55:58</p> <p>15 A. I think -- I think so. I think 11:56:00</p> <p>16 so. 11:56:01</p> <p>17 Q. So, is it safe to say that in 11:56:03</p> <p>18 December of 2017, on the day of the 11:56:05</p> <p>19 incident, Mr. Whittington was wearing a 11:56:07</p> <p>20 wristband that did not correspond to the H 11:56:10</p> <p>21 dorm? 11:56:12</p> <p>22 A. I don't know if he had it on or 11:56:12</p> <p>23 not. 11:56:16</p>

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<p>1 Q. Are there incidents where inmates 11:56:18 2 don't wear their wristbands? 11:56:20 3 A. Yes. 11:56:22 4 Q. How come? 11:56:25 5 A. They pull them off. 11:56:26 6 Q. What happens when an inmate pulls 11:56:27 7 one off? 11:56:29 8 A. If -- I believe they're supposed 11:56:30 9 to be written up, because that wristband 11:56:33 10 justifies where they live at. They're not 11:56:36 11 in there for being saints, so . . . 11:56:39 12 Q. So, what would you do if you saw 11:56:44 13 an inmate not wearing a wristband, as a 11:56:46 14 correctional officer? 11:56:48 15 A. As a correctional officer, it's 11:56:49 16 your job to know who live in your building. 11:56:52 17 So, I'm not going to let somebody in that 11:56:54 18 don't live in my building. That's me. 11:56:57 19 Regardless if they -- I can see 11:57:00 20 their wristband or they got their wristband 11:57:02 21 on, that's you learning your building that 11:57:04 22 you working in. So, if they don't live in 11:57:06 23 there, I'm not letting them in there. 11:57:10</p>	<p>1 the gates and once we let that building 11:58:09 2 out, see all the other buildings are locked 11:58:11 3 down. So, the gates is helping a whole 11:58:14 4 lot. 11:58:17 5 Q. Would you say it's easy for the 11:58:25 6 inmates to remove their wristbands? 11:58:25 7 A. Yes. 11:58:25 8 Q. Has anything been done to address 11:58:25 9 that? 11:58:26 10 A. Giving them another one. You see 11:58:27 11 them without a wristband on, just keep 11:58:29 12 giving them another wristband. 11:58:32 13 (Plaintiff's Exhibit 4 11:58:32 14 was marked for 11:58:32 15 identification.) 12:00:00 16 Q. I want to introduce what we're 12:00:00 17 marking as Plaintiff's Exhibit 4. And I'll 12:00:03 18 give you a moment to review. 12:00:17 19 Have you seen this before? 12:01:17 20 A. Yes, sir. 12:01:18 21 Q. What is this? 12:01:19 22 A. This is an SOP, inmate movement 12:01:20 23 control. 12:01:24</p>
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<p>1 Q. What if they're wearing a 11:57:18 2 wristband corresponding to a different 11:57:20 3 dorm? 11:57:22 4 A. If they're going to a what? Say 11:57:23 5 it again. 11:57:25 6 Q. What if they're wearing a 11:57:26 7 wristband that corresponds to one dorm on 11:57:27 8 their way to the other dorm? 11:57:30 9 A. They shouldn't be in the area. 11:57:33 10 It's an unauthorized area. 11:57:35 11 Q. Would you say that the wristband 11:57:38 12 policy is effective? 11:57:39 13 A. I don't think so. I don't know. 11:57:40 14 I don't -- I don't know if it's effective 11:57:44 15 or not. I'm in PREA. I don't -- I'm not 11:57:47 16 out there on the yard, so, it could be 11:57:52 17 effective. 11:57:55 18 Q. Can you think of a more effective 11:57:58 19 way to keep inmates in their right 11:58:00 20 positions? 11:58:03 21 MS. PUTMAN: Object to form. 11:58:04 22 A. We have the gates, so, that's 11:58:04 23 what's helping. The gates -- of keeping 11:58:06</p>	<p>1 Q. What's an SOP? 12:01:24 2 A. It is standard operational 12:01:25 3 procedure. 12:01:30 4 Q. When did you become aware of this 12:01:31 5 SOP? 12:01:33 6 A. I probably became aware of it 12:01:35 7 when I became an officer, because you read 12:01:42 8 a lot of SOPs, and as I was promoting up, 12:01:44 9 studying. 12:01:51 10 Q. Are correctional officers 12:01:52 11 informed when new SOPs are issued? 12:01:53 12 A. Yes. Yes, sir. 12:01:57 13 Q. Can you tell me about that? How 12:01:58 14 are you informed? 12:02:01 15 A. Yes, you are -- your supervisor 12:02:02 16 will let you know. You'll sign it. We 12:02:04 17 have documentation where officers sign 12:02:07 18 saying that they reviewed an SOP. It's 12:02:12 19 also a book in central -- I mean, in the 12:02:17 20 shift office with all of our SOPs, everyone 12:02:20 21 has access to it. 12:02:25 22 Q. Could you take a look at page 3, 12:02:28 23 please? 12:02:30</p>

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<p>1 to St. Clair after stabbing another inmate 12:09:40</p> <p>2 at another prison. When an inmate stabs 12:09:44</p> <p>3 another inmate, are correctional officers 12:09:48</p> <p>4 informed? 12:09:49</p> <p>5 A. From another facility? 12:09:51</p> <p>6 Q. Yeah. 12:09:53</p> <p>7 A. Or at St. Clair? 12:09:54</p> <p>8 Q. Both. 12:09:56</p> <p>9 A. Both? I don't think so. 12:09:56</p> <p>10 Q. So, if an inmate stabs another 12:10:04</p> <p>11 inmate within St. Clair, correctional 12:10:05</p> <p>12 officers are not informed of that? 12:10:08</p> <p>13 A. I believe they are informed at 12:10:09</p> <p>14 St. Clair. If he came from another 12:10:11</p> <p>15 facility and something happened to him at 12:10:13</p> <p>16 another -- I don't know if they know or 12:10:14</p> <p>17 not. I'm unaware. 12:10:16</p> <p>18 I have access to the module, so 12:10:17</p> <p>19 I'm aware of -- if I choose to look up that 12:10:19</p> <p>20 inmate. I don't know if they're aware or 12:10:22</p> <p>21 not. 12:10:29</p> <p>22 Q. You testified that correctional 12:10:29</p> <p>23 officers are responsible for the safety of 12:10:30</p>	<p>1 A. I don't. 12:11:17</p> <p>2 Q. Why is that? 12:11:18</p> <p>3 A. I'm judging them. They came to 12:11:18</p> <p>4 prison for something. So, you know I'm not 12:11:20</p> <p>5 looking at what they came to prison for. 12:11:24</p> <p>6 So, I'm going to treat everyone the same. 12:11:28</p> <p>7 And I'm going to observe and do 12:11:30</p> <p>8 my job the same with everybody, regardless 12:11:31</p> <p>9 if you there for stealing or robbing 12:11:35</p> <p>10 somebody or if you there for murder. I'm 12:11:38</p> <p>11 going to do my -- I'm going to treat y'all 12:11:40</p> <p>12 the same. And I'm going to do the same 12:11:42</p> <p>13 when it comes to any inmate that entered 12:11:44</p> <p>14 that facility. 12:11:48</p> <p>15 Q. Well, not all inmates that come 12:11:49</p> <p>16 to prison are then behaving violently 12:11:51</p> <p>17 within the prison; correct? 12:11:54</p> <p>18 A. Say it again. 12:11:56</p> <p>19 Q. Not all inmates that come to a 12:11:59</p> <p>20 prison are behaving violently in the 12:12:02</p> <p>21 prison; correct? 12:12:06</p> <p>22 A. I don't think so. 12:12:07</p> <p>23 Q. So, my question is not about an 12:12:09</p>
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<p>1 the inmates; is that correct? 12:10:32</p> <p>2 A. Yes, sir. 12:10:33</p> <p>3 Q. So, is it your opinion that 12:10:34</p> <p>4 correctional officers should know that an 12:10:38</p> <p>5 inmate had stabbed another inmate in 12:10:41</p> <p>6 another facility prior to coming to this 12:10:43</p> <p>7 facility? 12:10:45</p> <p>8 MS. PUTMAN: Object to form. 12:10:46</p> <p>9 A. I think our officers should be 12:10:46</p> <p>10 aware of every inmate. Just -- they should 12:10:48</p> <p>11 pay attention and be aware of every inmate, 12:10:51</p> <p>12 regardless if he stabbed somebody or didn't 12:10:53</p> <p>13 stab anybody. Everybody should -- you 12:10:55</p> <p>14 should pay attention to everyone. 12:10:58</p> <p>15 Q. Should you pay any extra 12:11:00</p> <p>16 attention to somebody who stabbed another 12:11:02</p> <p>17 inmate in the past? 12:11:03</p> <p>18 A. I don't. I pay attention to 12:11:04</p> <p>19 everybody that I deal with. 12:11:06</p> <p>20 Q. You don't think that there should 12:11:14</p> <p>21 be any special attention paid to somebody 12:11:14</p> <p>22 with a propensity for violence? 12:11:14</p> <p>23 MS. PUTMAN: Object to form. 12:11:17</p>	<p>1 inmate who may have committed a violent 12:12:13</p> <p>2 crime prior to coming to prison. 12:12:16</p> <p>3 A. Uh-huh. Right. 12:12:18</p> <p>4 Q. What I'm referring to is an 12:12:20</p> <p>5 inmate who stabbed another inmate while in 12:12:22</p> <p>6 prison. 12:12:25</p> <p>7 A. Uh-huh. 12:12:26</p> <p>8 Q. Should that be paid any extra 12:12:26</p> <p>9 attention? 12:12:28</p> <p>10 A. I think you should be aware of 12:12:28</p> <p>11 every inmate. No, I don't think so. I 12:12:30</p> <p>12 think every inmate -- Inmates go through 12:12:33</p> <p>13 things, so look here, they can be good 12:12:36</p> <p>14 today, but then angry and hurt that they 12:12:37</p> <p>15 lost someone tomorrow. That's with people 12:12:39</p> <p>16 in general. 12:12:42</p> <p>17 So, I think that every inmate 12:12:43</p> <p>18 should be paid attention to and you should 12:12:45</p> <p>19 be aware of what's going on with them, 12:12:47</p> <p>20 regardless if they stabbed somebody at 12:12:49</p> <p>21 another facility or if they came over there 12:12:51</p> <p>22 with a clear record. 12:12:54</p> <p>23 Q. So, if an inmate stabbed somebody 12:12:56</p>

EXHIBIT A



State of Alabama
Alabama Department of Corrections
 St. Clair Correctional Facility
 1000 St. Clair Road
 Springville, Alabama 35146



May 11, 2016

**STANDARD OPERATIONAL PROCEDURE
 NUMBER 137**

OPR: CAPTAINS

INMATE MOVEMENT CONTROL

I. GENERAL

The purpose of this procedure is to provide guidance to the officers of this facility in controlling the flow of inmate movement and to ensure orderly movement as well as provide increased security.

II. POLICY

It is the policy of the St. Clair Correctional Facility that the Inmate Movement Control procedure is adhered to in a uniform and consistent manner at all times, by all shifts and in accordance with this SOP and applicable Administrative Regulations and post orders.

III. DEFINITION(S) and ACRONYM(S)

Not applicable.

IV. RESPONSIBILITIES

- A. All staff of this facility is responsible for the implementation of this procedure. Each employee is responsible for ensuring that the provisions of this SOP are strictly adhered to for the maintenance of security and control.
- B. The Shift Commander shall be responsible for the proper controlled movement of inmates, both individually and groups, at the St. Clair Correctional Facility. All movement, both individually and groups, shall be escorted by the security staff during the hours of darkness. NO EXCEPTIONS.
- C. All security employees are responsible for ensuring that all inmate movements required by his/her position, are done in a professional manner and as expeditiously as possible.

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V. PROCEDURES

- A. All inmate movement is to be controlled in the following manner as it pertains to the Inmate Services Area, which includes the Dining Hall, Infirmary, Social Services and Visiting Area.

1. Dining Hall: [REDACTED]

[REDACTED]

2. Infirmary: Sick/Pill Call hours will be established by the Assistant

[REDACTED]

3. Social Services: [REDACTED]

[REDACTED]

- B. All movement will be coordinated by the shift commander's office via the radio and telephone and shall be documented in the shift clerks' duty post log.

1. Communication between staff members is vital to the movement of inmates at the St. Clair Correctional Facility. Therefore, staff shall utilize all available means, i.e. telephones, hand-held radios, etc. to enhance the control of movement of individual or groups of inmates.
2. When it becomes necessary for the mass movement of groups of inmates, example: feeding/pill call, work call/sick call, etc., the shift commander shall assign a sufficient number of security staff to monitor, track and coordinate the movements.

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- C. The gates leading from H Dorm to the Industrial area will be kept locked and will be opened and controlled by security personnel only. Security personnel will check inmates for colored wristbands prior to opening the gate and letting inmates through the gates leading from H Dorm to the Industrial area.
- D. Scheduled appointments for Social Services, Medical, Dental, Mental Health Services, etc. shall be placed in the daily newsletter at least one (1) day prior to the appointment.
 - 1. The information shall include the inmate's name, AIS number, date and time of appointment, the name of the staff member, department or clinic who scheduled the appointment, special instructions, etc.
 - 2. The shift commander shall coordinate with his/her subordinates, support staff, etc., to ensure that the inmate(s) arrive at the scheduled appointment at the specified time.
 - 3. Should an inmate not arrive for his appointment at the scheduled time, the Correctional Officer assigned to the front infirmary, social service, etc. shall notify the shift commander/shift clerk, who shall in turn coordinate with the rover(s) assigned to the inmate's living area, etc. The rovers shall locate the inmate and escort him to the location of the appointment.
- E. Inmates who do not arrive at their scheduled appointment within the specified time shall be subject to disciplinary action.
- F. Inmates will not be allowed to congregate in the canteen/mail window areas. Only inmates with authorized business will be allowed in this area.
- G. Inmates will not be permitted to loiter in or visit, unassigned living areas, job sites, program areas, etc. unless they are officially assigned to the area or have obtained prior approval from the shift commander or higher authority. Each inmate shall be issued a picture identification card and color coded wrist band to positively identify each inmate prior to the inmate being permitted to enter or depart the infirmary, social services area, canteen, visitation, etc. All violators will be subject to disciplinary action.
- H. Inmates assigned to G-yard will not be permitted to visit the H Dorm without prior authorization from the Shift Commander or higher authority and the Therapeutic Community Staff. In most cases, inmates assigned to the G-yard who wish to visit TC for interviews, will be accommodated every Wednesday from 9:00am to 11:00am.

- I. Any employee taken hostage or otherwise under duress is without authority regardless of rank.

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May 11, 2016
Page 4

- J. Inmates assigned to work crews outside of the correctional facility will be identified by a laminated identification card that is secured at the backgate. The identification card will include:
 - 1. Photo
 - 2. Name
 - 3. AIS
 - 4. Custody Level
 - 5. Date of Birth
 - 6. Physical Description
 - 7. Sentence Information: Crime, Sentencing County, Time
- K. Diabetic Treatment Care
 - 1. Inmates assigned to the general population, screened/approved, etc., by the authorized medical staff to participate in the Diabetic Treatment Care program will be allowed to go to feeding when diabetic feeding is announced.
 - 2. Diabetics will be allowed to go to dining hall [REDACTED] on each meal.
 - 3. A list of diabetics will be distributed, by the medical staff, to the Captain or his/her designee and the food service department on a daily basis, Monday – Friday.
 - 4. The Captain/designee will distribute copies of the diabetic care list to all population living area cubicles, dormitories, work stations, G-Gate, assigned pill call rover, and dining hall rover(s) on a daily basis Monday – Friday.
 - 5. Cubicle Officers, cellblock rovers, G-Gate Rover, dining hall rover(s), etc., shall monitor/challenge, the inmates going to feeding to ensure that the policy is strictly enforced. Inmates should be checked for colored wristbands before exiting the cellblock. Inmates who violate the policy

shall be subject to disciplinary action in accordance with Administrative Regulation 403.

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March 24, 2015
Page 5

- L. Standard Operational Procedures cannot cover every incident or eventuality. Employees assigned to any post shall use good judgment paying careful attention to the general and specific issues and details related to post assignment.

VI. DISPOSITION:

Any forms will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS:

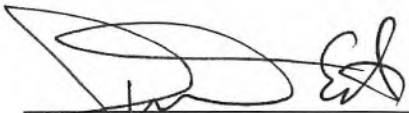
There are no forms associated with the implementation of the SOP.

VIII. SUPERCEDES:

This Standard Operational Procedure supersedes SOP 137 dated October 23, 2006.

IX. PERFORMANCE:

Not Applicable.

 5-1116

Dewayne Estes, Warden III

EXHIBIT 9

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Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF ALABAMA
3 MIDDLE DIVISION

4
5
6 CIVIL ACTION NUMBER: 4:19-CV-01934-ACA

7
8 AUNDRA DEBREL BOYKINS,

9 Plaintiff,

10 vs.

11 JEFFERSON DUNN, et al.,

12 Defendants.

13
14
15 CONFIDENTIAL DEPOSITION TESTIMONY OF
16 DEWAYNE ESTES

17
18
19 AUGUST 4, 2022

20 9:09 A.M.

21
22 COURT REPORTER:

23 MELANIE PETIX BEASLEY, CCR

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<p style="text-align: right;">Page 2</p> <p>1 S T I P U L A T I O N S</p> <p>2 It is hereby stipulated and</p> <p>3 agreed, by and between the parties through</p> <p>4 their counsel, that the deposition of</p> <p>5 DEWAYNE ESTES may be taken before Melanie</p> <p>6 Petix Beasley, Certified Court Reporter and</p> <p>7 Notary Public for the State of Alabama at</p> <p>8 Large, at the offices of Maynard, Cooper &</p> <p>9 Gale, P.C., 1901 6th Avenue North, Suite</p> <p>10 1700, Birmingham, Alabama on August 4, 2022,</p> <p>11 2022, commencing at 9:09 a.m.</p> <p>12 It is further stipulated and</p> <p>13 agreed that the signature to and the reading</p> <p>14 of the deposition by the witness are waived,</p> <p>15 the deposition to have the same force and</p> <p>16 effect as if full compliance had been had</p> <p>17 with all laws and rules of Court relating to</p> <p>18 the taking of depositions.</p> <p>19 It is further stipulated and</p> <p>20 agreed that it shall not be necessary for</p> <p>21 any objections to be made by counsel as to</p> <p>22 any questions except as to form or leading</p> <p>23 questions, and that counsel for the parties</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 JENNIFER S. GARRETT, Esq.</p> <p>5 AKIN GUMP STRAUSS HAUER & FELD LLP</p> <p>6 One Bryant Park, Bank of America Tower</p> <p>7 New York, New York 10036-6745</p> <p>8</p> <p>9</p> <p>10 BRETT M. MANISCO, Esq.</p> <p>11 JESSICA H. RO, Esq.</p> <p>12 AKIN GUMP STRAUSS HAUER & FELD LLP</p> <p>13 1999 Avenue of the Stars, Suite 600</p> <p>14 Los Angeles, California 90067-6022</p> <p>15 (Via Zoom)</p> <p>16</p> <p>17</p> <p>18 R. TERRELL BLAKESLEAY, Esq.</p> <p>19 DENTONS SIROTE PC</p> <p>20 2311 Highland Avenue South</p> <p>21 Birmingham, Alabama 35205</p> <p>22</p> <p>23</p>
<p style="text-align: right;">Page 3</p> <p>1 may make objections and assign grounds at</p> <p>2 the time of trial, or at the time said</p> <p>3 deposition is offered in evidence, or prior</p> <p>4 thereto.</p> <p>5 In accordance with Rule 5(d) of</p> <p>6 The Alabama Rules of Civil Procedure, as</p> <p>7 amended, effective May 15, 1988, I, Melanie</p> <p>8 Petix Beasley, Certified Court Reporter, am</p> <p>9 hereby delivering to Jennifer Garrett, the</p> <p>10 original transcript of the oral testimony</p> <p>11 taken on August 4, 2022, along with</p> <p>12 exhibits.</p> <p>13 Please be advised that this is the</p> <p>14 same and not retained by the Court Reporter,</p> <p>15 nor filed with the Court.</p> <p>16 --oOo--</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 5</p> <p>1 APPEARANCES (Continuing)</p> <p>2</p> <p>3 FOR THE DEFENDANTS:</p> <p>4 MATTHEW REEVES, Esq.</p> <p>5 LONDON WHATLEY (Via Zoom)</p> <p>6 MAYNARD, COOPER & GALE, P.C.</p> <p>7 655 Gallatin Street</p> <p>8 Huntsville, Alabama 35801</p> <p>9</p> <p>10 PETTY ROSSMANITH, Esq.</p> <p>11 OFFICE OF THE ATTORNEY GENERAL</p> <p>12 State of Alabama</p> <p>13 501 Washington Avenue</p> <p>14 Montgomery, Alabama 36130</p> <p>15 (Via Zoom)</p> <p>16</p> <p>17</p> <p>18 ALSO PRESENT: Ted Yost, Videographer</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

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<p style="text-align: right;">Page 6</p> <p>1 INDEX</p> <p>2</p> <p>3 EXAMINATION BY: PAGE</p> <p>4 MS. GARRETT 9</p> <p>5</p> <p>6</p> <p>7 EXHIBITS</p> <p>8</p> <p>9 PLAINTIFF'S PAGE</p> <p>10 Exhibit 1 - Complaint 13</p> <p>11 Exhibit 2 - Security Position Status 108</p> <p>12 Exhibit 3 - Statistical Report 137</p> <p>13 Exhibit 4 - Incident Report 208</p> <p>14 Exhibit 5 - Incident Report 213</p> <p>15 Exhibit 6 - Incident Report 229</p> <p>16 Exhibit 7 - Incident Report 232</p> <p>17 Exhibit 8 - Incident Report 241</p> <p>18 Exhibit 9 - Inmate Movement History 245</p> <p>19 Exhibit 10 - Incident Report 247</p> <p>20 Exhibit 11 - Roster 259</p> <p>21 Exhibit 12 - Layout (Highly Confidential) 264</p> <p>22 Exhibit 13 - DOJ Investigation 275</p> <p>23 Exhibit 14 - DOC Reclassification 290</p>	<p style="text-align: right;">Page 8</p> <p>1 District of Alabama, Middle Division, Case</p> <p>2 Number 4:19-CV-01934-ACA. Location of this</p> <p>3 deposition is 1901 6th Avenue North, Suite</p> <p>4 1700, Birmingham, Alabama.</p> <p>5 My name is Ted Yost representing</p> <p>6 Veritext, and I'm the videographer. The</p> <p>7 court reporter is Melanie Beasley from the</p> <p>8 firm Veritext.</p> <p>9 At this time counsel and all</p> <p>10 present in the room and attending remotely</p> <p>11 will now state their appearance and</p> <p>12 affiliations for the record.</p> <p>13 MS. GARRETT: Jennifer Garrett,</p> <p>14 G-a-r-r-e-t-t, for plaintiff, Aundra Boykins</p> <p>15 from Akin Gump Strauss Hauer & Feld.</p> <p>16 MR. BLAKESLEAY: Terrell</p> <p>17 Blakesleay here on behalf of plaintiff,</p> <p>18 Aundra Boykins, from Dentons Sirote.</p> <p>19 MR. MANISCO: Brett Manisco</p> <p>20 appearing remotely, Akin Gump, and appearing</p> <p>21 for plaintiff.</p> <p>22 MS. RO: Jessica Ro, also from</p> <p>23 Akin Gump, also appearing remotely.</p>
<p style="text-align: right;">Page 7</p> <p>1 I, Melanie Petix Beasley, a</p> <p>2 Certified Court Reporter and Notary Public</p> <p>3 for the State of Alabama at Large, acting as</p> <p>4 Commissioner, certify that on this date,</p> <p>5 pursuant to the Alabama Rules of Civil</p> <p>6 Procedure, and the foregoing stipulations of</p> <p>7 counsel, there came before me at the offices</p> <p>8 of Maynard, Cooper & Gale, P.C., 1901 6th</p> <p>9 Avenue North, Suite 1700, Birmingham,</p> <p>10 Alabama, on August 4, 2022, commencing at or</p> <p>11 about 9:09 a.m., DEWAYNE ESTES, witness in</p> <p>12 the above cause, for oral examination,</p> <p>13 whereupon, the following proceedings were</p> <p>14 had:</p> <p>15</p> <p>16 THE VIDEOGRAPHER: Good morning.</p> <p>17 We are going on the record at 9:09 a.m. on</p> <p>18 August 4th, 2022. This is Media Unit 1 of</p> <p>19 the video recorded deposition of Dewayne</p> <p>20 Estes taken by counsel for plaintiff in the</p> <p>21 matter of Aundra Debrel Boykins versus</p> <p>22 Jefferson Dunn, et al., filed in the United</p> <p>23 States District Court for the Northern</p>	<p style="text-align: right;">Page 9</p> <p>1 MR. REEVES: Matt Reeves with</p> <p>2 Maynard, Cooper & Gale appearing on behalf</p> <p>3 of Jefferson Dunn, Guy Noe and Dewayne</p> <p>4 Estes.</p> <p>5 THE VIDEOGRAPHER: Would the</p> <p>6 reporter please swear in the witness.</p> <p>7</p> <p>8 DEWAYNE ESTES,</p> <p>9 having been first duly sworn (affirmed), was</p> <p>10 examined and testified as follows:</p> <p>11</p> <p>12 COURT REPORTER: Usual</p> <p>13 stipulations?</p> <p>14 MS. GARRETT: Yes. Can you please</p> <p>15 state them for the record?</p> <p>16 THE REPORTER: Reserving all</p> <p>17 objections until the time of trial except</p> <p>18 for the objection to form, and waiving</p> <p>19 reading and signing.</p> <p>20 MR. REEVES: That is fine.</p> <p>21</p> <p>22 EXAMINATION BY MS. GARRETT:</p> <p>23 Q. Can you please state and spell</p>

3 (Pages 6 - 9)

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<p style="text-align: right;">Page 18</p> <p>1 point?</p> <p>2 A. To a correctional officer I while</p> <p>3 I was there.</p> <p>4 Q. How long were you a correctional</p> <p>5 officer I at St. Clair?</p> <p>6 A. Until June of 1985.</p> <p>7 Q. And I know you've had a lot of</p> <p>8 positions at the ADOC, so could you briefly</p> <p>9 walk through them --</p> <p>10 A. Sure.</p> <p>11 Q. -- after correctional officer I at</p> <p>12 St. Clair?</p> <p>13 A. I was promoted to correctional --</p> <p>14 well, to sergeant at West Jefferson</p> <p>15 Correctional Facility in June of '85. In</p> <p>16 June of '87 I was promoted to lieutenant at</p> <p>17 Limestone Correctional Facility. And about</p> <p>18 November of '89 I was promoted to captain at</p> <p>19 Easterling Correctional Facility.</p> <p>20 In '92 Easterling closed down and</p> <p>21 I was transferred to Childersburg Community</p> <p>22 Work Center as a captain. And then</p> <p>23 Easterling opened back up in October of that</p>	<p style="text-align: right;">Page 20</p> <p>1 A. I was a warden III at St. Clair</p> <p>2 from March the 1st, 2015 until around May, I</p> <p>3 think it was May of 2018. I'm thinking</p> <p>4 that's what it was, yes.</p> <p>5 Q. And did your job position change</p> <p>6 at any point while you were a warden III --</p> <p>7 A. No, ma'am.</p> <p>8 Q. -- at St. Clair? So overall,</p> <p>9 you've been in the position of warden III</p> <p>10 since 2012?</p> <p>11 A. Yes, ma'am.</p> <p>12 Q. Is that right? And at Limestone</p> <p>13 when you were a warden III, was that a</p> <p>14 similar level prison to St. Clair?</p> <p>15 A. Yes and no. It was, it was a</p> <p>16 Level V security institution at that time</p> <p>17 but it was generally designed to be a Level</p> <p>18 IV security institution.</p> <p>19 It was only deemed to be a Level V</p> <p>20 security institution because at the time</p> <p>21 prior to that, we were segregating our HIV</p> <p>22 inmates at Limestone. And because some of</p> <p>23 our HIV inmates were life-withouters or</p>
<p style="text-align: right;">Page 19</p> <p>1 same year and I went back to Easterling as a</p> <p>2 captain.</p> <p>3 And in 1998 I was promoted to</p> <p>4 warden 1 at Elba Work Release. And then I</p> <p>5 think 2000 I was promoted to warden II at</p> <p>6 Childersburg Community Work Center. We had</p> <p>7 a boot camp and also work release there.</p> <p>8 While I was there, I was also</p> <p>9 assigned as the warden for Alex City Work</p> <p>10 Release. And then in September of 2002 I</p> <p>11 was laterally transferred from those</p> <p>12 facilities to Bibb Correctional Facility as</p> <p>13 a warden II.</p> <p>14 And in 2012 I was promoted to</p> <p>15 warden III at limestone. And then on March</p> <p>16 the 1st, 19 -- I'm sorry. March the 1st,</p> <p>17 2015 I was transferred to St. Clair</p> <p>18 Correctional Facility.</p> <p>19 And then in 2018 I was transferred</p> <p>20 from St. Clair to -- back to Limestone. And</p> <p>21 then I retired in 2019.</p> <p>22 Q. So can you confirm for the record</p> <p>23 the time you were a warden III at St. Clair?</p>	<p style="text-align: right;">Page 21</p> <p>1 higher security, they designated Limestone</p> <p>2 to be a Level V security institution, so yes</p> <p>3 and no.</p> <p>4 Q. Thank you for that.</p> <p>5 So you talked about being warden</p> <p>6 I, warden II, warden III. Can you walk me</p> <p>7 through the seniority levels of each and the</p> <p>8 responsibilities of each while you were at</p> <p>9 St. Clair as warden III?</p> <p>10 A. I'm sorry?</p> <p>11 Q. Can you walk me through the</p> <p>12 different roles of warden I, warden II,</p> <p>13 warden III at St. Clair while you were a</p> <p>14 warden III?</p> <p>15 A. At St. Clair, okay, because there</p> <p>16 are different roles at different</p> <p>17 institutions.</p> <p>18 Q. Okay.</p> <p>19 A. At St. Clair, the warden III is</p> <p>20 the head of the facility and day-to-day</p> <p>21 responsibility for the operation of the</p> <p>22 facility.</p> <p>23 Warden II is primarily responsible</p>

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<p style="text-align: right;">Page 22</p> <p>1 for security aspects of the institution.</p> <p>2 And warden I is primarily</p> <p>3 responsible for programs and classification</p> <p>4 at the institution.</p> <p>5 Q. Did the warden II report to you?</p> <p>6 A. He did, uh-huh.</p> <p>7 Q. Who was the warden II at St. Clair</p> <p>8 while you were there?</p> <p>9 A. When I first started, it was Eric</p> <p>10 Evans. And then at some point in time,</p> <p>11 Mr. Specks, I forget what his first name is,</p> <p>12 but Mr. Specks became the warden II.</p> <p>13 Q. Do you know approximately when he</p> <p>14 became the warden II?</p> <p>15 A. I really don't recall the date.</p> <p>16 Q. And you said the responsibilities</p> <p>17 of the wardens differed at different</p> <p>18 prisons. How, if at all, were the</p> <p>19 responsibilities different at Limestone than</p> <p>20 when you came to St. Clair as warden III?</p> <p>21 A. They weren't any different. I was</p> <p>22 just talking about warden Is are generally</p> <p>23 wardens at work release facilities, and then</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Were you aware at the time of your</p> <p>2 transfer that Davenport had been suspended?</p> <p>3 A. No, uh-huh.</p> <p>4 Q. Were you aware at the time of your</p> <p>5 transfer of any press at the time about</p> <p>6 lawsuits against St. Clair?</p> <p>7 A. About lawsuits as --</p> <p>8 Q. About lawsuits concerning St.</p> <p>9 Clair that were filed around the time that</p> <p>10 you were transferred?</p> <p>11 A. Press release, I don't recall</p> <p>12 any -- seeing anything on the news or</p> <p>13 anything like that.</p> <p>14 Q. And so when you transferred, you</p> <p>15 hadn't read any of the complaints that were</p> <p>16 filed about St. Clair?</p> <p>17 A. No, ma'am.</p> <p>18 Q. When you were warden III at St.</p> <p>19 Clair, who did you report to, if anyone?</p> <p>20 A. I had the regional coordinator I</p> <p>21 reported to. I believe the sole time I was</p> <p>22 there or the beginning, it was Cheryl Price</p> <p>23 was the regional coordinator. And at some</p>
<p style="text-align: right;">Page 23</p> <p>1 we have some at major facilities. Warden</p> <p>2 IIs are generally work camp facility</p> <p>3 wardens, but we have them also at major</p> <p>4 facilities as well.</p> <p>5 Q. Can you talk to me about how you</p> <p>6 came to be the warden III of St. Clair, how</p> <p>7 your transfer happened?</p> <p>8 A. I was just advised I was going to</p> <p>9 be transferred to St. Clair.</p> <p>10 Q. Did you have a choice in the</p> <p>11 matter?</p> <p>12 A. I'm sorry?</p> <p>13 Q. Did you have a choice in the</p> <p>14 matter?</p> <p>15 A. I did not.</p> <p>16 Q. Were you given any reason for your</p> <p>17 transfer?</p> <p>18 A. I was not.</p> <p>19 Q. Do you know whom you replaced as</p> <p>20 the warden III of St. Clair?</p> <p>21 A. It starts with a D.</p> <p>22 Q. Does Davenport sound right?</p> <p>23 A. That's right, uh-huh.</p>	<p style="text-align: right;">Page 25</p> <p>1 point in time, I believe Mr. Ellington</p> <p>2 became, I'm thinking -- I might be -- I</p> <p>3 believe it was, yeah, he became my</p> <p>4 supervisor.</p> <p>5 Q. What were you required to report</p> <p>6 to Cheryl Price, if anything?</p> <p>7 A. Well, major instances, things that</p> <p>8 disrupt the day-to-day operations of the</p> <p>9 institution, just keeping your supervisor</p> <p>10 aware of things as they come up.</p> <p>11 Q. Were you ever required to report</p> <p>12 instances of inmate-on-inmate violence to</p> <p>13 her?</p> <p>14 A. Major incidents, yes, ma'am.</p> <p>15 Q. And how did those conversations</p> <p>16 generally go?</p> <p>17 A. It was just a reporting of things</p> <p>18 that happened, who was involved and what</p> <p>19 action was taken and stuff like that.</p> <p>20 Q. Did you ever make any specific</p> <p>21 recommendations to her as to how to address</p> <p>22 instances of inmate-on-inmate violence?</p> <p>23 A. I don't recall that I did.</p>

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<p style="text-align: right;">Page 30</p> <p>1 A. When you say overseeing, can you 2 explain that a little bit better.</p> <p>3 Q. So did you supervise anyone who 4 was responsible for intake -- intake for 5 prisoners coming in and housing them, taking 6 any measures to make sure the transition was 7 smooth?</p> <p>8 A. We had a classification division 9 and ICS officer, and the ICS officer would 10 assign housing for inmates coming in. And 11 the classification team would review the 12 jackets and get some idea of what the inmate 13 was about disciplinary-wise and things like 14 that.</p> <p>15 Q. Who did the ICS officer report to?</p> <p>16 A. Probably the captain.</p> <p>17 Q. And then who did the captain 18 report to?</p> <p>19 A. Deputy warden, warden II.</p> <p>20 Q. And then the warden II reported to 21 you?</p> <p>22 A. Correct.</p> <p>23 Q. At the time you were at St. Clair,</p>	<p style="text-align: right;">Page 32</p> <p>1 time you were warden?</p> <p>2 A. Yes, ma'am, I believe I was.</p> <p>3 Q. And what were your roles and 4 responsibilities with regards to those rules 5 and regulations other than to make sure the 6 prison was following them, if any?</p> <p>7 A. Just enforce them, yes, ma'am.</p> <p>8 Uh-huh.</p> <p>9 Q. Did you have any authority to 10 modify them?</p> <p>11 A. I didn't have any authority to 12 modify admin regs, but if there was any need 13 to modify SOPs, yes, ma'am, I had the 14 authority to do that.</p> <p>15 Q. What is an SOP?</p> <p>16 A. Standard operating procedure.</p> <p>17 That's a facility document or policies and 18 procedures that tells how we do a particular 19 thing at that facility.</p> <p>20 Q. How does an SOP differ from an 21 administrative regulation?</p> <p>22 A. Administrative regulation is for 23 the entire Department of Corrections, and</p>
<p style="text-align: right;">Page 31</p> <p>1 did the warden II ever express any concerns 2 to you about any ICS officer?</p> <p>3 A. Not that I can recall.</p> <p>4 Q. I would like to just generally go 5 through to make sure I have a full 6 understanding of your roles and 7 responsibilities as warden III, so could you 8 go over, other than I know supervising 9 warden II, anything -- and reporting to 10 Cheryl Price, any other roles or 11 responsibilities that you can list here 12 today that you had?</p> <p>13 A. Just bottom line responsibility 14 for the day-to-day operation of the 15 facilities to make sure that we comply with 16 the laws and the rules and regulations, the 17 SOPs and the admin regs of the Department of 18 Corrections, and just make sure that the 19 facility functions as smoothly and 20 efficiently and as safely as we possibly 21 can.</p> <p>22 Q. Were you familiar with the rules 23 and regulations applying to St. Clair at the</p>	<p style="text-align: right;">Page 33</p> <p>1 it's a broad base policy or procedure, 2 whereas a SOP hones it down to a particular 3 facility.</p> <p>4 Q. Did you review the SOPs for St. 5 Clair when you were first transferred there?</p> <p>6 A. It was an ongoing process, uh-huh.</p> <p>7 Q. And during your time as warden at 8 St. Clair, did you ever recommend any 9 modifications to SOPs?</p> <p>10 A. I'm sure that I did. I can't 11 recall specifics, but I'm sure some were 12 changed and I resigned them and things like 13 that, yes, ma'am, uh-huh.</p> <p>14 Q. When you had them changed or made 15 recommendations, do you recall who you would 16 have made those recommendations to?</p> <p>17 A. We -- SOP, if we deemed it needing 18 to be changed, we would change it and 19 publish it and make sure that everybody was 20 aware of the new SOP or the current version 21 of the SOP. And moving forward, we would do 22 it with regard to the way that new SOP 23 states for it to be done.</p>

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<p style="text-align: right;">Page 34</p> <p>1 Q. So could you unilaterally modify</p> <p>2 an SOP? You see an SOP you think that it</p> <p>3 needs to change, could you go ahead and</p> <p>4 modify it and publish it or did you need any</p> <p>5 specific approvals?</p> <p>6 A. No, ma'am. As far as the</p> <p>7 institution is concerned, yes, ma'am. The</p> <p>8 warden is responsible for the institutional</p> <p>9 SOPs, they have to comply with the admin</p> <p>10 regs, they can't go beyond the admin regs.</p> <p>11 But yes, ma'am, up and to the</p> <p>12 point where the SOP does not change an admin</p> <p>13 reg, there's nothing that I have to get</p> <p>14 permission above to do.</p> <p>15 Q. Were there any SOPs that you found</p> <p>16 to be particularly important for safety of</p> <p>17 the inmates?</p> <p>18 A. Well, I consider all SOPs to be</p> <p>19 important for the safety of the inmates.</p> <p>20 Q. And did you -- when you came to</p> <p>21 St. Clair as a warden, did you assess the</p> <p>22 SOPs for their effectiveness at all?</p> <p>23 A. Just, you know, assess whether or</p>	<p style="text-align: right;">Page 36</p> <p>1 changes to the SOPs and enforcing them,</p> <p>2 reviewing and enforcing the ARs, anything</p> <p>3 else that you were responsible for or that</p> <p>4 were part of your job duties as warden III?</p> <p>5 A. I think that about covers it.</p> <p>6 Q. Do you recall any ARs that you</p> <p>7 found to be deficient at any point while you</p> <p>8 were warden at St. Clair?</p> <p>9 A. No, ma'am.</p> <p>10 Q. Did you ever draft any reports or</p> <p>11 memoranda about safety risks or safety</p> <p>12 issues at St. Clair while you were a warden?</p> <p>13 A. I think that I did.</p> <p>14 Q. Do you recall when that was</p> <p>15 approximately?</p> <p>16 A. I sure -- sure don't.</p> <p>17 MS. GARRETT: I want to say for</p> <p>18 the record, I don't think that we have any</p> <p>19 memoranda drafted by Mr. Estes about safety</p> <p>20 risks.</p> <p>21 MR. REEVES: We've produced what</p> <p>22 exists.</p> <p>23 Q. (BY MS. GARRETT:) I want to talk</p>
<p style="text-align: right;">Page 35</p> <p>1 not they were working, whether or not --</p> <p>2 yes, ma'am, uh-huh.</p> <p>3 Q. And how often do you think you</p> <p>4 took a look back at the SOPs to consider</p> <p>5 whether or not changes should be made?</p> <p>6 A. I can't say that I did it on a</p> <p>7 monthly or -- weekly or monthly basis. Just</p> <p>8 if something would arise that we thought we</p> <p>9 needed to address, we would address it.</p> <p>10 Q. Sitting here today, do you recall</p> <p>11 any SOPs that you found to be deficient or</p> <p>12 that needed to be changed?</p> <p>13 A. Not that I can recall.</p> <p>14 Q. So other than the day-to-day</p> <p>15 operations, supervising the warden III,</p> <p>16 reporting to Cheryl Price, reviewing --</p> <p>17 A. Supervising the warden II.</p> <p>18 Q. Supervising warden II. Thank you</p> <p>19 for that correction.</p> <p>20 So to be clear, other than</p> <p>21 managing and overseeing the day-to-day</p> <p>22 operation, supervising warden II, reporting</p> <p>23 to Cheryl Price, reviewing and making</p>	<p style="text-align: right;">Page 37</p> <p>1 now about the incident reports.</p> <p>2 A. Uh-huh.</p> <p>3 Q. You said you reviewed incident</p> <p>4 reports in preparation for the deposition.</p> <p>5 Can you tell me what an incident report is?</p> <p>6 A. An incident report is a legal</p> <p>7 document that explains the facts of what</p> <p>8 transpired during an incident.</p> <p>9 Q. What would qualify as an incident?</p> <p>10 A. Pretty much anything that's out of</p> <p>11 the norm for a daily, for the daily</p> <p>12 operation. I mean, anything, failure to</p> <p>13 obey a direct order, a fire, just any</p> <p>14 incident that occurs during the normal</p> <p>15 function of a day.</p> <p>16 Q. Who would draft the incident</p> <p>17 reports?</p> <p>18 A. The officer that was there at the</p> <p>19 that -- that observed the action or observed</p> <p>20 the incident, he would be the one that would</p> <p>21 draft it.</p> <p>22 Q. Were there any written policies or</p> <p>23 procedures that governed how the officer</p>

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<p style="text-align: right;">Page 42</p> <p>1 reviewed by every warden at St. Clair?</p> <p>2 A. By every warden, that's correct.</p> <p>3 Q. Not every incident report was</p> <p>4 reviewed by you as the head warden at St.</p> <p>5 Clair?</p> <p>6 A. That's correct.</p> <p>7 Q. Was every inmate-on-inmate</p> <p>8 incident regarding violence reviewed by you?</p> <p>9 A. Yes, ma'am, I read them, yes,</p> <p>10 ma'am.</p> <p>11 Q. Did officers or anyone else at the</p> <p>12 prison have any duty to report instances of</p> <p>13 inmate-on-inmate violence to you?</p> <p>14 A. Any time there's inmate-on-inmate</p> <p>15 violence, there would always be an incident</p> <p>16 report then, so yes, ma'am, I would review</p> <p>17 those.</p> <p>18 Q. But it was someone's</p> <p>19 responsibility in their job description or</p> <p>20 in a rule or regulation that they needed to</p> <p>21 report those instances of inmate-on-inmate</p> <p>22 violence to you?</p> <p>23 A. If I could understand your</p>	<p style="text-align: right;">Page 44</p> <p>1 correctional officer, it would be an</p> <p>2 incident, and there would be an incident</p> <p>3 that would be written about it.</p> <p>4 So anything that -- dealing with</p> <p>5 inmate-on-inmate violence or any situation,</p> <p>6 if it was reported to a correctional</p> <p>7 officer, he would initiate an incident</p> <p>8 report.</p> <p>9 Q. Did correctional officers have any</p> <p>10 responsibility for securing a crime scene?</p> <p>11 A. Yes, ma'am. If there was a crime</p> <p>12 scene, if there was a apparent crime scene,</p> <p>13 yes, ma'am, they would secure it until they</p> <p>14 indicated to the shift commander that there</p> <p>15 was a crime scene, then the shift commander</p> <p>16 would take responsibility for securing it.</p> <p>17 Q. Did correctional officers while</p> <p>18 you were warden have a responsibility to</p> <p>19 secure any weapons that were found?</p> <p>20 A. Yes, ma'am. Again, if you're the</p> <p>21 responding officer to an incident and</p> <p>22 there's weapons involved and you see the</p> <p>23 weapons or contraband or whatever it is,</p>
<p style="text-align: right;">Page 43</p> <p>1 question, an incident occurred and a</p> <p>2 correctional officer witnessed the incident,</p> <p>3 he would initiate the incident report after</p> <p>4 we took care of the incident and after all</p> <p>5 the action was taken with regard to the</p> <p>6 particular incident.</p> <p>7 Then the officer would initiate</p> <p>8 the incident report, and he would send it to</p> <p>9 his supervisor, and his supervisor, the</p> <p>10 shift commander, may for those type</p> <p>11 incidents would report to me.</p> <p>12 Q. So I know that you said that there</p> <p>13 were rules and regulations governing</p> <p>14 incident reports. Were there any rules or</p> <p>15 regulations governing, other than the</p> <p>16 incident reporting, what a correctional</p> <p>17 officer was required to do if they observed</p> <p>18 or learned about an instance of</p> <p>19 inmate-on-inmate violence such, as you said,</p> <p>20 report it to the shift commander, anything</p> <p>21 else?</p> <p>22 A. Well, I just want to say any time</p> <p>23 anything came to the attention of a</p>	<p style="text-align: right;">Page 45</p> <p>1 then, yes, ma'am, it's your responsibility</p> <p>2 to secure that weapon or that contraband or</p> <p>3 things like that, yes, ma'am.</p> <p>4 Q. Did correctional officers have any</p> <p>5 responsibility to investigate the cause of</p> <p>6 maybe an injury of an inmate that they</p> <p>7 observed?</p> <p>8 A. No.</p> <p>9 Q. Who was responsible for</p> <p>10 investigating an incident of violence?</p> <p>11 A. The Department of Corrections has</p> <p>12 a what I will call -- I don't know what the</p> <p>13 acronym for it is today, but the I&I</p> <p>14 division, the organization within the</p> <p>15 Department of Corrections that's responsible</p> <p>16 for investigating crimes, uh-huh.</p> <p>17 Q. I think the acronym today is LERC,</p> <p>18 LER --</p> <p>19 MR. REEVES: It's LESD.</p> <p>20 Q. LESD, does that sound right to</p> <p>21 you?</p> <p>22 A. I thought that was it, but I</p> <p>23 couldn't --</p>

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<p style="text-align: right;">Page 46</p> <p>1 Q. So in your understanding, LESD is</p> <p>2 the same as the I&I when you were the</p> <p>3 warden?</p> <p>4 A. Yes, ma'am, uh-huh.</p> <p>5 Q. What was your role, if any, with</p> <p>6 respect to investigations of</p> <p>7 inmate-on-inmate violence?</p> <p>8 A. I wasn't responsible for that at</p> <p>9 all. That was strictly I&I division.</p> <p>10 Q. Did the warden II have any</p> <p>11 responsibilities --</p> <p>12 A. No.</p> <p>13 Q. -- with respect to</p> <p>14 inmate-on-inmate violence?</p> <p>15 For the record, I know sometimes I</p> <p>16 go a little bit slow finishing my question.</p> <p>17 Hopefully wait for me to finish to make the</p> <p>18 court reporter's job a little bit easier.</p> <p>19 A. Sorry.</p> <p>20 Q. I apologize for that type thing.</p> <p>21 So when an investigation would</p> <p>22 occur, were you ever made aware that an</p> <p>23 investigation was going to happen into an</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. -- the findings of an</p> <p>2 investigation?</p> <p>3 A. No.</p> <p>4 Q. And I want to talk about not just</p> <p>5 inspections of incidents, but inspections of</p> <p>6 the facility in general. Were there ever</p> <p>7 any inspections of St. Clair as a facility?</p> <p>8 A. On what level?</p> <p>9 Q. Let's start with physical</p> <p>10 maintenance, repairs that were needed, did</p> <p>11 anyone ever come in or was anyone ever</p> <p>12 responsible for walking around the prison</p> <p>13 and assessing whether there needed to be any</p> <p>14 maintenance or repairs?</p> <p>15 A. We had a maintenance division and</p> <p>16 that was their responsibility to keep</p> <p>17 everything in proper order, uh-huh.</p> <p>18 Q. Did any third parties while you</p> <p>19 were warden come in to inspect the physical</p> <p>20 conditions of the prison?</p> <p>21 A. Not that I can recall. Again, are</p> <p>22 you talking about -- I apologize. Are you</p> <p>23 talking about departmental level or are you</p>
<p style="text-align: right;">Page 47</p> <p>1 incident of inmate-on-inmate violence?</p> <p>2 A. Any time there was</p> <p>3 inmate-on-inmate violence, there was going</p> <p>4 to be an investigation, yes, ma'am, and I&I</p> <p>5 would take care of that.</p> <p>6 Q. And would I&I report the findings</p> <p>7 of their investigation to you?</p> <p>8 A. Sometimes they would -- I would</p> <p>9 get them, sometimes I would not get them.</p> <p>10 Q. Would you get them in the context</p> <p>11 of any homicides that happened at St. Clair?</p> <p>12 A. Again, sometimes and sometimes</p> <p>13 not.</p> <p>14 Q. Do you know what would make a</p> <p>15 difference in terms of whether you got the</p> <p>16 findings?</p> <p>17 A. No, ma'am.</p> <p>18 Q. If you asked for the findings of</p> <p>19 an investigation, would you get them?</p> <p>20 A. Probably, uh-huh.</p> <p>21 Q. Do you have any reason to believe</p> <p>22 that you were restricted from getting --</p> <p>23 A. No.</p>	<p style="text-align: right;">Page 49</p> <p>1 talking about --</p> <p>2 Q. A third party, so any consultants</p> <p>3 or someone that the prison hired, a third</p> <p>4 party to come in to take a look at the</p> <p>5 prison conditions and say whether they were</p> <p>6 sufficient?</p> <p>7 A. You know, we had the lawsuit going</p> <p>8 on and we had some people that came in to</p> <p>9 look at the institution. Whether or not</p> <p>10 they were specifically seeing or looking or,</p> <p>11 you know, checking the facility for</p> <p>12 deficient items, I can't tell you. I don't</p> <p>13 recall.</p> <p>14 Q. So which lawsuit are you referring</p> <p>15 to?</p> <p>16 A. I don't recall the name of it.</p> <p>17 THE WITNESS: Do you recall the --</p> <p>18 Q. Is it a class action lawsuit</p> <p>19 perhaps?</p> <p>20 A. Yeah, I think so, uh-huh.</p> <p>21 Q. Does the Duke name sound familiar?</p> <p>22 A. I think that rings a bell, uh-huh.</p> <p>23 Q. And so when someone would come in</p>

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<p style="text-align: right;">Page 54</p> <p>1 to fix them.</p> <p>2 Q. Were there any written policies or</p> <p>3 procedures about how quickly the facility</p> <p>4 would need to repair locks once they learned</p> <p>5 about the locks being broken?</p> <p>6 A. I don't -- I don't recall that.</p> <p>7 Q. Do you recall any resource</p> <p>8 limitations for fixing locks such as staff</p> <p>9 shortage, time limitations, anything like</p> <p>10 that?</p> <p>11 A. I don't recall that.</p> <p>12 Q. And can you tell me what -- about</p> <p>13 these locks at St. Clair, how the doors</p> <p>14 worked, how the cells worked, what kinds of</p> <p>15 locks there were in place?</p> <p>16 A. Well, the original locks that were</p> <p>17 placed in the cells, the population cells at</p> <p>18 St. Clair was a much smaller lock, very easy</p> <p>19 to brake.</p> <p>20 The replacement lock that they</p> <p>21 placed on there -- the original locks --</p> <p>22 well, I don't see a lock on this door -- was</p> <p>23 much like the locks you see on houses, but</p>	<p style="text-align: right;">Page 56</p> <p>1 But in 2016, we began the process</p> <p>2 where we changed every lock on every cell</p> <p>3 door and replaced the cell doors themselves</p> <p>4 in population and in segregation.</p> <p>5 Q. Do you recall whether prior to</p> <p>6 December 2017 any locks or cell doors were</p> <p>7 repaired or replaced in H dorm?</p> <p>8 A. Not that I can recall. H dorm is</p> <p>9 a dormitory. It's not a cell block.</p> <p>10 Q. Can you walk me through what a</p> <p>11 dormitory is versus a cell block?</p> <p>12 A. A cell block has individual cells</p> <p>13 in it. And a dormitory is an open bay</p> <p>14 dormitory where inmates are housed in an</p> <p>15 open bay dormitory with beds.</p> <p>16 Q. How many locks do you recall were</p> <p>17 in place at H dorm?</p> <p>18 A. How many -- I'm sorry?</p> <p>19 Q. How many locks were in place</p> <p>20 around or in H dorm?</p> <p>21 A. I couldn't tell you how many there</p> <p>22 were. Sorry.</p> <p>23 Q. So the locks that were replaced</p>
<p style="text-align: right;">Page 55</p> <p>1 the locks that they placed on them was a lot</p> <p>2 more sturdier, so to speak.</p> <p>3 Q. And I know this was a long time</p> <p>4 ago.</p> <p>5 A. Uh-huh.</p> <p>6 Q. But can you walk me through your</p> <p>7 understanding, if any, about how many locks</p> <p>8 were broken at any given time while you were</p> <p>9 warden?</p> <p>10 A. I'm not understanding.</p> <p>11 Q. So do you have a sense maybe on</p> <p>12 average --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- on a certain day how many locks</p> <p>15 were broken?</p> <p>16 MR. REEVES: Object to the form.</p> <p>17 A. Yeah. I guess I'll answer it this</p> <p>18 way is that when that lock project began, I</p> <p>19 think it was in 2016, I'm thinking it was,</p> <p>20 and the institution was originally built in</p> <p>21 1983, all right, since 1983 to 2016, there</p> <p>22 was never a total lock replacement. It was</p> <p>23 repair them as you could when you had stuff.</p>	<p style="text-align: right;">Page 57</p> <p>1 that became sturdier, as you said, what was</p> <p>2 sturdier about them? What, if anything,</p> <p>3 made them less difficult or less easy, I</p> <p>4 should say, to break?</p> <p>5 A. I explained it when I said that</p> <p>6 the original locks were much smaller, and</p> <p>7 the locks they replaced them with was much</p> <p>8 larger.</p> <p>9 Q. So given that they were larger,</p> <p>10 does that mean it was more difficult to</p> <p>11 stuff something in them or --</p> <p>12 A. If you want --</p> <p>13 Q. -- physically tear them?</p> <p>14 A. To be truthful about it, it just</p> <p>15 talks about the level of force necessary to</p> <p>16 slam them hard enough to break them.</p> <p>17 Q. Are you aware of any replacement</p> <p>18 locks that were broken?</p> <p>19 A. Absolutely, yes, ma'am.</p> <p>20 Q. Do you recall how frequently</p> <p>21 replacement locks would be broken?</p> <p>22 A. Quite a bit.</p> <p>23 Q. And did anyone ever express to you</p>

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<p style="text-align: right;">Page 66</p> <p>1 Q. When you were warden, did you 2 believe that St. Clair could have done 3 anything else to make the facility safer and 4 more secure for inmates? 5 A. I do not. 6 Q. What precautionary measures, if 7 any, did you see as warden of a Level V 8 facility in terms of preventing 9 inmate-on-inmate violence that were not 10 present, for example, at a Level IV 11 facility? 12 A. There really is none. 13 Correctional officers rove the institution 14 and shake down the institutions, do 15 searches, and roving the institution to make 16 sure inmates are safe and secure is what 17 they do on a daily basis. 18 And shaking down or searching 19 either one inmate or a group of inmates or a 20 cell or a cell block, that's what they do, 21 what correctional officers do in order to 22 maintain a safe and secure facility, and 23 that's what we did.</p>	<p style="text-align: right;">Page 68</p> <p>1 that we were responsible for transporting, 2 he would be responsible for taking care of 3 that transport. Just the general day-to-day 4 operation of a shift. 5 Q. Who determined how long a 6 correctional officer's shift would be? 7 A. Again, whether our facility was on 8 a 12-hour shift or 8-hour shift, that was 9 something decided by Montgomery, the central 10 office. 11 Q. Did the shift commanders that were 12 on staff, did they have any authority to 13 change a correctional officer's schedule 14 around? 15 A. When you say change, what are you 16 referring to? 17 Q. So if a correctional officer 18 needed to leave early, needed to take a day 19 off, who would they go to to get approval 20 for that? 21 A. Their shift commander, uh-huh. 22 Q. Did the shift commander need to 23 report to anyone before deciding whether a</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. So sitting here today, can you 2 identify any extra safety measures that St. 3 Clair had in place that Bibb, for example, 4 did not have in place? 5 A. No. 6 Q. Let's talk about the correctional 7 officers. You said earlier that they report 8 to shift commanders; is that right? 9 A. That's correct, uh-huh. 10 Q. What are the daily responsibility 11 -- what were the daily responsibilities of a 12 shift commander while you were warden at St 13 Clair? 14 A. Well, the shift commander is 15 responsible for the day-to-day function of 16 the shift in relation to the institution; 17 feeding, housing, making sure, you know, the 18 laundry runs, the kitchen runs, we get 19 people to the healthcare unit, dental unit, 20 making transports for off-site medical 21 visits. 22 If we had -- if we were -- if an 23 inmate was transferred from our facility</p>	<p style="text-align: right;">Page 69</p> <p>1 correctional officer could take off or leave 2 early for the day? 3 A. No, ma'am. 4 Q. And did you know at the time you 5 were a warden whether shift commanders ever 6 patrolled the prison to inspect whether 7 correctional officers were where they were 8 supposed to be? 9 A. Yes, ma'am. 10 Q. How often would shift commanders 11 walk around the prison to check that 12 correctional officers were where they were 13 supposed to be? 14 A. I would say that the sergeants and 15 lieutenants continuously walked around the 16 facility to ensure the correctional officers 17 were doing their job. 18 And as I previously stated, I 19 walked daily inside the institution. I 20 tried to visit every cell block or every 21 dormitory of the facility at least once a 22 week, and that was what we did was we 23 ensured the correctional officers were doing</p>

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<p style="text-align: right;">Page 74</p> <p>1 And in cell blocks, of course, if 2 you're standing in any part of the cell 3 block, you couldn't see every inmate because 4 of the individual cells, inmates would be in 5 their individual cells, and no. 6 So the answer to your question is 7 there's probably not one point in any 8 facility in any state where you can stand 9 and see every inmate inside that particular 10 living area, no. 11 Q. Including dormitories? 12 A. Including dormitories. 13 Q. Are you familiar with the layout 14 of H dorm? 15 A. Somewhat that I can recall, 16 somewhat familiar. 17 Q. Are you able to tell me today 18 whether there was a location in H dorm where 19 a correctional officer could see every 20 inmate in H dorm at one time? 21 A. No, ma'am. 22 Q. Just to be clear, there was no 23 location in H dorm where a correctional</p>	<p style="text-align: right;">Page 76</p> <p>1 A. Just that it's a post and it's a 2 housing unit, so we would assign a 3 correctional officer to that housing unit. 4 Q. If you didn't have enough 5 correctional officers for every housing 6 unit, were there any measures in place to 7 get backup? 8 A. When you say any measures, what 9 are you referring to? 10 Q. If there were any written policies 11 or procedures or any practices in place for 12 a shift commander to make sure that every 13 post had a correctional officer that was 14 supposed to, if, for example, certain 15 correctional officers had to be off-site to 16 escort a prisoner somewhere or they called 17 in sick? 18 Were there any measures in place 19 to get additional correctional officers to 20 the prison to make sure there was someone 21 where they were supposed to be at all times? 22 A. Shift commanders could call 23 off-duty correctional officers and see if</p>
<p style="text-align: right;">Page 75</p> <p>1 officer could see every inmate in the H 2 dorm? 3 A. That's correct, there was no one 4 location in H dorm where an officer could be 5 standing just to view every inmate in that 6 facility or in that housing unit. 7 Q. Do you recall as warden how many 8 correctional officers were assigned to rove 9 H dorm at a given time? 10 A. It was no more than [REDACTED]. 11 Q. Would it surprise you if at a 12 certain point while you were warden only one 13 correctional officer was roving H dorm at a 14 time? 15 A. That would be -- I would know 16 that, yes, ma'am, because there would only 17 be one at a time. There would be no more 18 than [REDACTED], but many times there would be one. 19 Q. Was there any point in which there 20 would be no correctional officer roving H 21 dorm? 22 A. I do not think so. 23 Q. And what is that based on?</p>	<p style="text-align: right;">Page 77</p> <p>1 they would come in to work. We would 2 mandate officers to work over their shift, 3 to work overtime over their shift. 4 Beyond that, if there was a 5 situation where we couldn't man our post, 6 that would be a situation I would call the 7 regional coordinator, my boss, and say, 8 Here's what we got, here's where we're at, 9 here's what we're going to do, got any 10 suggestions? 11 Q. Do you recall any instances of 12 someone reporting to you that there were not 13 enough correctional officers on duty at St. 14 Clair? 15 A. Not that I can recall. 16 Q. If there were not enough 17 correctional officers on duty at St. Clair, 18 is that something that would have been 19 reported to you as warden? 20 A. Yes, ma'am, uh-huh. 21 Q. And moving to the overtime that 22 you mentioned -- 23 A. Uh-huh.</p>

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<p style="text-align: right;">Page 102</p> <p>1 I don't recall how many numbers, 2 but I know that there were cameras placed in 3 there during that project. 4 Q. Were there areas of the facility 5 that were not captured by cameras where 6 prisoners were living? 7 A. Where prisoners were living? As a 8 part of that lock project, yes, ma'am, there 9 were. 10 Q. How many areas would you say? 11 Would you say more than 50 percent of the 12 facility were not covered or surveilled by 13 cameras as a result of the project? 14 A. It was more than 50 percent, 15 uh-huh, sure. 16 Q. Would you say more than 75 percent 17 was not visible by cameras? 18 A. I'm going to say somewhere between 19 50 and 60 percent because H dorm didn't -- 20 there wasn't any cameras placed in H dorm, 21 there wasn't any cameras placed in [REDACTED] dorm, 22 there weren't any cameras placed in the 23 [REDACTED]. I don't believe there was any</p>	<p style="text-align: right;">Page 104</p> <p>1 officers did their job. 2 Q. Do you believe that cameras played 3 any role in the safety of people at the 4 prison? 5 A. No, ma'am, I do not. 6 Q. And why not? 7 A. It's just a tool. 8 Q. Can you tell me more about that? 9 A. It's just a tool that you use, 10 whereas, what really makes inmate safe 11 inside a correctional facility or staff safe 12 inside a correctional facility is the staff 13 of the facility and inmates. It can't be 14 all staff. 15 It has to kind of like be a dual 16 issue; inmates have to have a part of it, 17 and the officers have to play a major role 18 in it. But the inmates have to also assist 19 us, like say if somebody comes in the 20 dormitory that's not supposed to be there, 21 hey, man, you're not supposed to be here, or 22 hey, correctional officer, inmate so-and-so 23 is in here, he's not supposed to be here.</p>
<p style="text-align: right;">Page 103</p> <p>1 cameras placed in the healthcare unit. 2 So yeah, about 60 percent. None 3 in segregation. 4 Q. Do you know why there were no 5 cameras placed in H dorm? 6 A. It wasn't part of the locking 7 change mechanism or project. The locking 8 upgrade project was only in the cell blocks, 9 the population cell blocks and restricted 10 housing cell blocks. 11 Q. So the lock project did not cover 12 H dorm or other open bay dormitories? 13 A. No, not at St. Clair. 14 Q. Did you ever make any 15 recommendations for more cameras at St. 16 Clair? 17 A. I believe that I did. 18 Q. And why did you do that? 19 A. Well, I was a firm believer in 20 camera systems in that it aids the 21 correctional officer in doing their job. 22 And also it's for supervisors can 23 look at the cameras and make sure the</p>	<p style="text-align: right;">Page 105</p> <p>1 And if something -- if they feel 2 unsafe to report it to correctional officers 3 or report it to somebody. I mean, safety is 4 big thing. 5 Q. Would you say that having more 6 correctional officers placed in a certain 7 cell block or dorm would make that cell 8 block or dorm safer? 9 A. Well, certainly the -- having more 10 staff inside of a facility gives you a 11 greater opportunity to rove more and to 12 search more, but I don't think there is a 13 correctional facility in America that 14 wouldn't want to have more correctional 15 officers. 16 Q. So when you say that more 17 correctional officers means roving more, how 18 does roving connect to safety? How does 19 roving make a facility safer? 20 A. You know why police officers have 21 those nice cars and they drive up and down 22 in neighborhoods? It makes people feel 23 good, right; it's being visible. And</p>

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<p style="text-align: right;">Page 126</p> <p>1 just all kinds of ways that you get people 2 to do what you want them to do. 3 Q. In turning back to Exhibit 2 when 4 we looked at the rate of COs that were 5 manning, do you believe those percentages, 6 41 percent and 35 percent, were adequate for 7 protecting the safety of inmates? 8 MR. REEVES: Object to the form. 9 A. I do. 10 THE WITNESS: I'm sorry. 11 MR. REEVES: Go ahead. 12 A. I do. 13 Q. (BY MS. GARRETT:) And what about 14 those percentages do you feel was sufficient 15 for protecting the safety of inmates? 16 MR. REEVES: Object to the form. 17 A. You know, again, we rove around in 18 the institution, we observe inmates, and 19 that's what makes inmates safe is us walking 20 around on a day-to-day basis doing our job 21 as correctional officers. 22 And then also inmates coming to us 23 and say, hey, listen, this is happening or</p>	<p style="text-align: right;">Page 128</p> <p>1 done as opposed to working with 50 2 correctional officers and 40 of them are 3 just trying to make the day. 4 Q. Do you believe that the presence 5 of correctional officers deters 6 inmate-on-inmate violence? 7 A. That's the reason why we have 8 correctional officers employed in prisons. 9 Q. Do you believe that the presence 10 of additional correctional officers, for 11 example, two assigned to a dorm as opposed 12 to just one, that that would further deter 13 inmate-on-inmate violence? 14 A. I would be stupid to sit here and 15 say it wouldn't, okay. But again, I want to 16 tell you that with the correctional officers 17 we had, with them doing their job, it was a 18 safe and secure environment. 19 Q. Do you recall how many 20 inmate-on-inmate homicides happened while 21 you were warden at St. Clair at the St. 22 Clair facility? 23 A. No, ma'am. I know that there were</p>
<p style="text-align: right;">Page 127</p> <p>1 that's happening or I don't feel this way or 2 that way, and us taking that into 3 consideration and doing what it takes to 4 make it through the day. 5 Q. If those numbers had said a 6 percentage closer to 65 percent or 75 7 percent, for example, would you believe that 8 the prison would be safer as a result? 9 A. That's being speculative. I just 10 want to say that I believe that with the 11 correctional officers that we had at St. 12 Clair, that the inmates lived in a secure 13 and safe environment. 14 Did I want more correctional 15 officers, absolutely. What warden of any 16 facility wouldn't want to have more 17 correctional officers, okay, but would it 18 have made it any safer? Couldn't tell you 19 whether or not it would have and wouldn't, 20 because kind of an old saying with the 21 Department of Corrections is you would like 22 to supervise ten correctional officers 23 that's working their butts off to get the job</p>	<p style="text-align: right;">Page 129</p> <p>1 homicides. The exact number, I couldn't 2 tell you. 3 Q. Would the fact that there were 4 homicides committed by inmates at St. Clair 5 while you were warden, would that have any 6 impact on your view whether St. Clair was a 7 safe and secure facility for inmates? 8 A. When we're reading in the paper 9 about there being a murder in our 10 neighborhood, are we saying that our 11 neighborhood is less safe, because no. It 12 is a prison. 13 And I'm not trying to be callus by 14 saying that crap happens inside an 15 institution, but unfortunately, things 16 happen inside of an institution. 17 Correctional officers are there to 18 make sure that we provide a safe and secure 19 environment for inmates, and we did that. 20 Now, are there -- were there homicides in 21 our correctional facilities, not only St. 22 Clair but other facilities as well in 23 Alabama during that time, okay.</p>

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<p style="text-align: right;">Page 130</p> <p>1 So it doesn't go to the fact if</p> <p>2 you had a hundred more correctional officers</p> <p>3 inside of St. Clair, you can't point to one</p> <p>4 of those homicides and say that wouldn't</p> <p>5 have occurred, you just can't do that, you</p> <p>6 just don't know.</p> <p>7 Because all homicides, aren't they</p> <p>8 about opportunity, you know, and we're all</p> <p>9 human. And no matter how many people you</p> <p>10 have in a given environment, there's going</p> <p>11 to be an opportunity. If somebody is dead</p> <p>12 set on doing a particular thing, it doesn't</p> <p>13 really matter how many people you got there,</p> <p>14 they're going to do what they're going to</p> <p>15 do.</p> <p>16 Q. Would you agree that there would</p> <p>17 be fewer opportunities if there were more</p> <p>18 boots on the ground, correctional officers</p> <p>19 on the ground?</p> <p>20 A. Again, I can't tell you that.</p> <p>21 That's a judgment and I can't tell you that.</p> <p>22 Q. As warden, did you ever take any</p> <p>23 steps to determine whether more boots on the</p>	<p style="text-align: right;">Page 132</p> <p>1 inherently problematic environment. And</p> <p>2 there's going to be inmate-on-inmate</p> <p>3 situations, and God forbid there may be</p> <p>4 deaths in there.</p> <p>5 You even look at the federal</p> <p>6 prison system; it's the same way there, all</p> <p>7 right? St. Clair was not any different, any</p> <p>8 worse than any other prison in the State of</p> <p>9 Alabama or in the United States.</p> <p>10 The correctional officers at St.</p> <p>11 Clair provided a secure environment for the</p> <p>12 general public in that we kept inmates</p> <p>13 there, and we also provided a safe</p> <p>14 environment for the inmates.</p> <p>15 Q. Were you aware when you were</p> <p>16 warden of St. Clair how the homicide rate at</p> <p>17 St. Clair and other Alabama prisons compared</p> <p>18 to the nationwide homicide prisons rate?</p> <p>19 A. No, ma'am, I'm not, or wasn't.</p> <p>20 Q. Would it surprise you to learn</p> <p>21 that the homicide rate at Alabama prisons is</p> <p>22 higher than the national average of other</p> <p>23 prisons?</p>
<p style="text-align: right;">Page 131</p> <p>1 ground of correctional officers had an</p> <p>2 impact on opportunity for crime?</p> <p>3 A. Again, I believe that we provided</p> <p>4 a safe and secure environment at St. Clair</p> <p>5 with the officers that we had. Now, would I</p> <p>6 want more correctional officers, what warden</p> <p>7 in their right mind wouldn't want more</p> <p>8 correctional officers, okay?</p> <p>9 Would it have made the institution</p> <p>10 safer, you can't say that, you just don't</p> <p>11 know, because there will always be motive</p> <p>12 and opportunity, okay. And if someone is</p> <p>13 dead set on killing somebody or hurting</p> <p>14 somebody, they're going to find an</p> <p>15 opportunity.</p> <p>16 Q. Is there anything that would make</p> <p>17 St. Clair -- while you were warden, is there</p> <p>18 anything that would have made it safer for</p> <p>19 inmates?</p> <p>20 A. I do not believe so. I believe</p> <p>21 the environment of a correctional facility,</p> <p>22 be it St. Clair, be it a facility in Kansas,</p> <p>23 be it a facility in California is an</p>	<p style="text-align: right;">Page 133</p> <p>1 MR. REEVES: Object to the form.</p> <p>2 A. I don't know how they compile</p> <p>3 those statistics or if the statistics were</p> <p>4 accurate. I don't even know who compiled</p> <p>5 the statistics, but you can make anything to</p> <p>6 be anything you want it to be with</p> <p>7 statistics. It depends on who's compiling</p> <p>8 the statistics and how they compile them.</p> <p>9 Q. Is it safe to say that statistics</p> <p>10 were not part of your considerations in how</p> <p>11 to make St. Clair safer?</p> <p>12 A. Ma'am, I just want to say that I</p> <p>13 felt as if during the time that I was there</p> <p>14 as warden, that walking around the facility,</p> <p>15 listening and talking to the convicts,</p> <p>16 listening to their problems, listening to</p> <p>17 their concerns, that we provided, or I</p> <p>18 provided with the help of my staff at St.</p> <p>19 Clair, we conducted a safe and secure</p> <p>20 facility and safe for all the inmates</p> <p>21 concerned.</p> <p>22 Q. I appreciate that. I do.</p> <p>23 A. Thank you.</p>

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<p style="text-align: right;">Page 134</p> <p>1 Q. In terms of my specific question, 2 were statistics -- do you recall statistics 3 ever being a consideration that you had when 4 thinking about how to make St. Clair safer? 5 A. Again, it depends on who's doing 6 those statistics and what the information 7 they're doing to arrive at the statistics. 8 And here's the answer, no, I didn't. 9 Because I'm more concerned about the 10 security and welfare of my staff at the 11 facility and the inmates at my facility, be 12 it St. Clair, be it Limestone or wherever I 13 was at at the particular time. 14 So it was my job to make sure that 15 we had as safe of an environment as we 16 possibly could, and I believe that we did 17 that. 18 Q. And you mentioned that homicides 19 happen at multiple prisons, inmate-on-inmate 20 violence happens at multiple prisons. Did 21 you take any steps to determine whether St. 22 Clair had more inmate-on-inmate violence 23 than other prisons in Alabama?</p>	<p style="text-align: right;">Page 136</p> <p>1 (Plaintiff's Exhibit 3 was marked for 2 identification and is attached to the 3 original transcript.) 4 5 Q. Do you recognize this document? 6 A. Yes, ma'am. 7 Q. What is this document? 8 A. This is a monthly statistical 9 report, and this particular one says 10 December 2017. 11 Q. You were warden of St. Clair in 12 December of 2017? 13 A. Yes, ma'am. 14 Q. Do you recall looking at this 15 statistical report? 16 A. Probably I did. 17 Q. Do you recall looking at any 18 statistical reports around that time 19 specifically? 20 A. I'm sorry. 21 Q. Do you have any specific 22 recollections of looking at statistical 23 reports when you were warden?</p>
<p style="text-align: right;">Page 135</p> <p>1 A. I don't think that we did. 2 Q. And what would you base that on? 3 A. Listening to other wardens talk 4 about what's going on at their facility, 5 listening to what the -- our regional 6 coordinators would say when we would have 7 wardens meetings. 8 Listening and talking to other 9 wardens inside of those facilities, we were 10 all dealing with the same issues, we're all 11 dealing with the same problems. And at 12 Level V institutions, we're having this, 13 that and the other, you know, going on, be 14 it inmate-on-inmate violence, be it 15 whatever. Level IVs was having this, Level 16 IIs and Level Is was having that. 17 Q. All right. On the topic of 18 statistics, I would like to introduce what 19 will be marked as Plaintiff's Exhibit 3, 20 which is not yet Bates stamped. 21 22 23</p>	<p style="text-align: right;">Page 137</p> <p>1 A. Just as a general rule, anything 2 that comes out or that's published by the 3 Department of Corrections, I was exposed to 4 it and looked at it. 5 Q. Do you have an understanding of 6 why this statistical report was issued? 7 A. No, ma'am. 8 Q. Do you think that the statistical 9 report has any important information about 10 safety in it? 11 A. I don't know. I mean, this is 12 just a -- it's a report that is compiled, 13 talks about, you know, the statistics of the 14 Department of Corrections. 15 Now, again, how they compiled them 16 and with multiple incidents counted on 17 multiple things inside this statistics which 18 would skew the statistics, I don't know. I 19 wasn't involved in creating this situation 20 or this report, so, you know, I can't tell 21 you whether or not any of this is accurate 22 or inaccurate. 23 Q. Was this a public document to your</p>

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<p style="text-align: right;">Page 142</p> <p>1 Then there comes at time when they say, 2 well, you need squeeze in ten more beds 3 inside the dayroom, all right. 4 Now, when the said you need to 5 squeeze ten more beds inside the dayroom, 6 that kind of makes it overpopulated, okay? 7 And then we busted out a wall in the back 8 back there and put more beds in the back in 9 what used to be a closet back there, then we 10 can say that's kind of overpopulated because 11 that's more than designed capacity, okay. 12 But as opposed to St. Clair, no, 13 it wasn't overpopulated because the designed 14 capacity and the capacity of the facility is 15 pretty much what it was. And I don't know 16 whether or not that number took into account 17 that there was 26 beds in the healthcare 18 unit as opposed to what -- I don't know. I 19 think that statistic may be skewed for St. 20 Clair. 21 Q. What does the word "overpopulated" 22 mean to you? 23 A. Did I just not do a good enough</p>	<p style="text-align: right;">Page 144</p> <p>1 could fit in a prison. If a prison was 2 considered overpopulated, it would be 3 because it had way too many beds in certain 4 physical spaces; is that right? 5 A. I'll give you a good example. All 6 right, Limestone, Limestone is an 7 institution that was designed for -- had 8 cells, and those cells were designed to have 9 double occupancy. 10 Well, somebody came up with the 11 idea we're going to put beds in the dayroom, 12 so they put 90 beds, 90 beds inside of the 13 day room. Now, to me, that's being 14 overpopulated or whatever the word you asked 15 me was, I can't think of right now at the 16 moment, but that's being overpopulated, 17 okay? 18 But that's just not the case at 19 St. Clair, because we didn't put beds in the 20 dayroom. We wasn't told to put beds in the 21 dayroom. 22 Q. Do you think that overpopulation 23 has any connection to safety at a prison?</p>
<p style="text-align: right;">Page 143</p> <p>1 job of explaining that one? 2 Q. For the record, can you explain 3 what it would mean for a facility to be 4 overpopulated? 5 A. Do I have to go back over that 6 same one again, because I'm going to go over 7 the same example again. 8 St. Clair was not, but Easterling 9 when we talked about it how they originally 10 single bunked, okay, then they double bunked 11 it, but that's not overpopulation, that's 12 just increasing the number of capacity. 13 But when they say, hey, can you 14 squeeze in about 20 more beds in those 15 dayrooms, that's going over the limit. And 16 then when you're busting down a wall back 17 there in the old laundry rooms to create a 18 little more space for some more beds, that's 19 kind of overpopulating. In my mind, that's 20 overpopulating. 21 Q. To make sure I understand 22 correctly, overpopulated would mean that 23 there were physically too many beds than</p>	<p style="text-align: right;">Page 145</p> <p>1 A. Well, you know, it goes to more 2 people being packed into a smaller 3 environment gives more opportunity for 4 someone to be mad at someone, so there could 5 be some issues. So in some terms, I would 6 think yes, it could. 7 But again, when it comes down to 8 in a prison, you know, what keeps people 9 safe inside a prison is a correctional 10 officer who's being visible, roving around, 11 doing shakedowns, and also inmates helping 12 their safety by saying, hey, this trouble is 13 abrewing, you might need to look into this, 14 okay. 15 Q. So before we put this document 16 away, I want to look at I think one more 17 thing, which is the total assaults at St. 18 Clair relative to some of the other prisons 19 here in closed security. 20 So we see that St. Clair has 41 21 total assaults, do you see that? 22 A. All right. You said 41? 23 Q. Yes. Do you see where it says</p>

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<p style="text-align: right;">Page 146</p> <p>1 total assaults YTD 41?</p> <p>2 A. My glasses may not be very good</p> <p>3 because I ain't seen 41 on this yet.</p> <p>4 Q. Are you looking at the facility</p> <p>5 operations?</p> <p>6 A. No, I was looking -- I'm sorry.</p> <p>7 Q. You might have been looking at the</p> <p>8 wrong one. I'm still looking at the</p> <p>9 facility operations sheet.</p> <p>10 A. Sorry. Where was you at? Total</p> <p>11 assaults, okay, year to date.</p> <p>12 Q. Do you have an understanding what</p> <p>13 YTD would mean?</p> <p>14 A. That would be year to date.</p> <p>15 Q. So do you have any reason to</p> <p>16 believe that 41 assaults at St. Clair in</p> <p>17 2017 is inaccurate?</p> <p>18 A. Okay. I guess -- I was looking</p> <p>19 back here on the disciplinaries, assaults,</p> <p>20 homicide and suicide page, and I couldn't</p> <p>21 get a 41, but I guess this is talking about</p> <p>22 that's combined for both staff and inmates.</p> <p>23 Q. Yes. And does 41 seem accurate to</p>	<p style="text-align: right;">Page 148</p> <p>1 A. Pardon me?</p> <p>2 Q. Can you remind me what you said</p> <p>3 about Limestone?</p> <p>4 A. Limestone is a Level IV security</p> <p>5 institution, only because that they were --</p> <p>6 once housed the HIV inmates for the</p> <p>7 Department of Corrections. And they didn't</p> <p>8 generally send Level V inmates to their</p> <p>9 population at Limestone except for HIV</p> <p>10 inmates.</p> <p>11 Q. Do you think that Level V inmates</p> <p>12 caused greater number of assaults to occur</p> <p>13 than Level IV inmates?</p> <p>14 A. Yes, ma'am, yes, ma'am. Do you</p> <p>15 want me to tell you one of my stories again?</p> <p>16 As you work down through the</p> <p>17 facility, you go through culture shock every</p> <p>18 time you go from one security level to</p> <p>19 another security level.</p> <p>20 Q. Now, I am going to ask you one</p> <p>21 other thing.</p> <p>22 A. Okay.</p> <p>23 Q. If you turn to the slide that says</p>
<p style="text-align: right;">Page 147</p> <p>1 you for that total number of assaults?</p> <p>2 A. Okay. Now, you got to understand</p> <p>3 that assault is if an inmate puts their</p> <p>4 hands on a correctional officer, that's</p> <p>5 assault. If you just put your hands on</p> <p>6 somebody, that's assault, all right? So</p> <p>7 that's probably -- I know that's probably an</p> <p>8 accurate number.</p> <p>9 Q. So do you see here that St. Clair</p> <p>10 has the highest number of YTD total assaults</p> <p>11 out of the closed security prisons?</p> <p>12 A. Okay.</p> <p>13 Q. Do you see that?</p> <p>14 A. Okay. How much more than the</p> <p>15 other facilities? Holman had 35, Kilby had</p> <p>16 17, and Tutwiler, the women's prison, had</p> <p>17 21, and Donelson had 40, so we had one more</p> <p>18 than 40 and six more than Holman.</p> <p>19 Q. And for Limestone, what do you</p> <p>20 see?</p> <p>21 A. Again, limestone is -- remember</p> <p>22 what I said about Limestone.</p> <p>23 Q. Can you remind me?</p>	<p style="text-align: right;">Page 149</p> <p>1 disciplinaries, assaults, homicides, and</p> <p>2 suicides, I think that was the slide you</p> <p>3 were looking at.</p> <p>4 A. Okay.</p> <p>5 Q. This says here, if you look at the</p> <p>6 inmate-on-inmate homicides column, what do</p> <p>7 you see for St. Clair?</p> <p>8 A. Inmate-on-inmate homicides, zero.</p> <p>9 Where are we at?</p> <p>10 Q. Do you recall any homicide --</p> <p>11 inmate-on-inmate homicides at St. Clair in</p> <p>12 2017?</p> <p>13 A. I mean, again, I know that during</p> <p>14 the time that I was there that we had</p> <p>15 homicides. Okay. This was -- this is a</p> <p>16 December issue, okay, so this is actually</p> <p>17 talking probably about one or two months</p> <p>18 worth of statistics here, so we're only</p> <p>19 talking about a limited number of time.</p> <p>20 We're only probably talking about a</p> <p>21 two-month period here.</p> <p>22 Q. So where it says year --</p> <p>23 A. It's not a physical year. It's</p>

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<p style="text-align: right;">Page 150</p> <p>1 probably a fiscal year instead of a physical 2 year. 3 Q. Do you know when the fiscal year 4 started at St. Clair? 5 A. It's always going to be October. 6 These are probably for the incidents that 7 occurred in November and it was compiled for 8 December, so it's probably only talking 9 about October and November of 2017. 10 Q. Okay. I want to talk to you about 11 metal detectors. Were there any medical -- 12 sorry. Were there any metal detectors at 13 St. Clair while you were the warden there? 14 A. Yes, ma'am. 15 Q. How many would you say were there? 16 A. We had walkthrough metal 17 detectors, we had a metal detector that you 18 could stand up on a sidewalk and inmates 19 could pass by it and it would go off. We 20 had handheld metal detectors, we had little 21 palm frisk metal detectors. We had a bunch. 22 Q. Did you consider those metal 23 detectors to be effective in detecting metal</p>	<p style="text-align: right;">Page 152</p> <p>1 through a metal detectors when they came to 2 work in the morning times or whenever they 3 came in for their shift, morning or evening, 4 sorry. 5 Q. Would any inmate need to go 6 through a metal detector to get into H dorm? 7 A. No, ma'am. 8 Q. How often were inmates going 9 through metal detectors? 10 A. Inmates, we had them on -- going 11 into the healthcare unit, going into the 12 trade school, coming in and out of the trade 13 school area, coming in and out of the 14 industry area. 15 We would set up the portable metal 16 detectors when inmates would go to lunch, 17 they'd file by that. We'd put it in front 18 of a dormitory, and when they come out of 19 the dormitory, they'd go by that metal 20 detector. 21 There were a couple of them they 22 had were mobile, and we used them mobilely 23 and set them up here and there to get good</p>
<p style="text-align: right;">Page 151</p> <p>1 going through? 2 A. Absolutely, to the extent that 3 they were used appropriately and -- yes. 4 Now, can an inmate or any individual defeat 5 a metal detector, absolutely. 6 Q. How could an inmate defeat a metal 7 detector? 8 A. Now, that's a good question, you 9 know, but it occurs all the time. 10 Q. So would you say that metal 11 detectors made St. Clair any more safe than 12 had there been no metal detectors? 13 A. Metal detectors in any facility 14 makes any facility -- adds to the security 15 package of that facility, absolutely. 16 Q. Did you ever request any more 17 metal detectors to be placed at St. Clair? 18 A. No, I don't think I did because we 19 had quite a few of them. 20 Q. How often would a correctional 21 officer go through a metal detector? 22 A. Just through the front entrance is 23 when the correctional officers would go</p>	<p style="text-align: right;">Page 153</p> <p>1 use out of them. 2 Q. Would it have been possible while 3 you were a warden St. Clair for an inmate to 4 go from P block to H dorm without going 5 through a metal detector? 6 A. Probably, uh-huh. 7 Q. Is there anything that would -- do 8 you recall whether an inmate from P block to 9 H dorm would go through a metal detector? 10 A. Again, the portable ones, 11 sometimes we'd set them up at the door of 12 the kitchen, sometimes we'd set them up at 13 the back of the kitchen, sometimes we'd set 14 them up at the entrance of H block, which 15 was, like I said, was like a courtyard and 16 it squeezed between two buildings, so 17 everybody that came out of population G yard 18 going to either the healthcare unit or 19 anything like that would go through this 20 small area and sometimes we'd set up that 21 metal detector there. 22 And so yeah, sometimes inmates 23 would go past a metal detector but sometimes</p>

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<p style="text-align: right;">Page 158</p> <p>1 Q. Do you recall whether you ever 2 made a recommendation for there to be more 3 searches at St. Clair? 4 A. I don't ever recall making a 5 recommendation to increase the number of 6 searches there. Not that I can recall. 7 Q. Did you find the policy about the 8 number of searches that would occur to be 9 sufficient to protect inmates? 10 A. Absolutely. 11 Q. And do you know how frequently 12 contraband would be found during these 13 searches? 14 A. Contraband is found in every 15 correctional facility in the State of 16 Alabama, and St. Clair wasn't an exception 17 to it. Any time we would shake down, we 18 would find contraband. That's the reason 19 why we do shakedowns is so that we find as 20 much as we can. We ain't going to find it 21 all, but we find as much as we can. 22 Q. Do you feel that searches have any 23 effect on the presence of contraband in the</p>	<p style="text-align: right;">Page 160</p> <p>1 industry to do their job, everybody that was 2 going and coming from trade school were 3 searched. Anybody that's going into the 4 healthcare unit, they were searched, uh-huh, 5 on a daily basis, uh-huh, more so than the 6 others. 7 Q. In terms of the dangerousness of 8 the inmates, were certain inmates considered 9 to be more dangerous than others? 10 A. Well, you know, let's put it this 11 way: They're all Level V inmates and you 12 need to take that into consideration, just 13 as if you're in Level IV or work release, 14 that you're dealing with somebody that don't 15 want to do what you ask them to do, so you 16 don't let your guard down just because 17 you're working in a Level IV camp or a Level 18 II camp or a Level I camp, you treat them 19 the same. And then you have just as much 20 opportunity to get assaulted anywhere you're 21 at. 22 And so when you talk about Level V 23 convicts, the dangerous individuals or super</p>
<p style="text-align: right;">Page 159</p> <p>1 prison? 2 A. It does, but it never diminishes 3 all of it. It just can't, unfortunately. 4 Q. During your time as warden at St. 5 Clair, do you recall whether the amount of 6 contraband that was recovered by a 7 correctional officer changed at all, either 8 went up or went down or stayed the same? 9 A. Stayed the same, just like it did 10 all over the state. There was contraband in 11 every facility, even in work releases. 12 Q. What would you consider contraband 13 to be? 14 A. The definition of contraband is 15 anything that's not given to an inmate by 16 the prison or by the warden. 17 Q. And -- 18 A. Or sold on the canteen, sorry. 19 Q. Do you know whether there were any 20 particular inmates that were searched more 21 frequently than others? 22 A. If you want to say on a day-to-day 23 basis, everybody that was going to the</p>	<p style="text-align: right;">Page 161</p> <p>1 dangerous, as you would want to call, that 2 would be what we call closed out because 3 their behavior, if they had committed an 4 assault or something like that, they would 5 run the risk of being classified and closed 6 out which would place them in a single cell. 7 Q. And so other than the individuals 8 that were placed in a single cell, was there 9 any treatment differential between the 10 inmates based on how dangerous or violent 11 St. Clair considered them to be? 12 A. You have to understand it's not 13 St. Clair considering them that way. 14 They're classed up by the Department of 15 Corrections and sent to the facilities based 16 on their security level. 17 So everybody at St. Clair treated 18 the inmates all alike because we worked in a 19 Level V security institution. 20 Q. How about -- were there any 21 inmates that were brought to St. Clair who 22 had committed acts of violence in prior 23 prisons?</p>

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<p style="text-align: right;">Page 166</p> <p>1 A. Absolutely. Any time an inmate is 2 injured, for whatever reason they're 3 injured, it should bother a correctional 4 officer or the warden. That's what our job 5 is to do is to protect the inmates in the 6 facility. 7 You do what you can do, but again, 8 you have to buffer that with the 9 understanding is that convicts that choose 10 to -- to choose that behavior are going to 11 injure -- get themselves injured or are 12 going to injure one another. 13 Q. Do you recall any period of time 14 when you were warden at St. Clair that were 15 especially violent than others? 16 A. No. 17 Q. Did it seem that while you were 18 warden at St. Clair the amount of violence 19 stayed the same? 20 A. I would say it did. 21 Q. Was there anything, looking back 22 here today, that you think you could have 23 done to limit or lessen the amount of</p>	<p style="text-align: right;">Page 168</p> <p>1 controlling movement of prisoners? 2 A. No. It's -- like I said, it's not 3 any more so than they would have at any 4 other facility in Alabama or any other 5 facility in America. It's just a situation 6 where when inmates are going from Point A to 7 Point B, humans can get lost, humans can not 8 go here, they can go there instead. 9 Somebody could be looking this 10 way, a convict can come up to an officer and 11 get his attention and get him pointed this 12 way, convict can go that way. There's just 13 all kinds of things that happen in life, 14 especially in a prison. 15 Q. What did St. Clair have in place 16 while you were the warden to control the 17 movement of prisoners from Point A to Point 18 B? 19 A. Correctional officers. 20 Q. Other than correctional officers, 21 were there any other tools or policies or 22 measures in place to control the movement? 23 A. That's what correctional officers</p>
<p style="text-align: right;">Page 167</p> <p>1 violence at St. Clair? 2 A. No. 3 Q. Okay. I want to now talk about 4 inmate movement around the prison. Are you 5 familiar with a term "uncontrolled 6 movement"? 7 A. With regard to what? 8 Q. With regard to prisoners. 9 A. Uncontrolled movement, no, I don't 10 believe I've ever heard of the term with 11 regard to prisons, uncontrolled movement. 12 We talk about controlled movement a lot but 13 not uncontrolled movement. 14 Q. What is controlled movement? 15 A. That's when we control when an 16 inmate goes here and there. 17 Q. And did you feel that St. Clair 18 had any difficulties while you were warden 19 with controlling the movement of inmates? 20 A. Not any more so than any other 21 prison in Alabama or America. 22 Q. Can you describe to me the 23 difficulties that St. Clair did have with</p>	<p style="text-align: right;">Page 169</p> <p>1 do; they're responsible for looking and 2 seeing and posting and making sure inmates 3 were going in the right direction, the wrong 4 direction, check them up, do the things they 5 do on a daily basis to make it safe, and 6 that's what they did. 7 Q. Were there any SOPs related to 8 movement of prisoners? 9 A. I don't recall one specifically 10 about inmate movement. I might be wrong, 11 there may be one, but I just don't recall 12 one about that specifically. 13 Q. Do you recall making any policy 14 changes while you were the warden to any 15 type of practice that would better control 16 the movement of prisoners? 17 A. I harped every time we had a 18 supervisors' meeting or a staff meeting, I 19 harped that we just need to maintain 20 Correction 101, which is walking around, 21 patrolling your areas, being visible and 22 doing your shakedowns like you're supposed 23 to do your shakedowns.</p>

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<p style="text-align: right;">Page 170</p> <p>1 And I said what's important in 2 corrections to keep the place secure and 3 safe is basic Corrections 101, roving and 4 shaking down. 5 Q. For the record, could you identify 6 for me any policy you put in place to 7 control movement of prisoners? 8 A. Not that I can recall, uh-uh. 9 Q. You mentioned -- 10 A. Didn't do anything more than what 11 was already in place. 12 Q. You mentioned staff meetings and 13 supervisor meetings. Can you tell me more 14 about those? 15 A. We had the -- every Wednesday I 16 had a meeting of the captains and the deputy 17 wardens in my office. No, every morning I 18 met with the captains and the deputy wardens 19 in my office. I believe it was Wednesday we 20 had a staff meeting where all the department 21 heads would come. 22 Then once a month, we would have a 23 supervisor meeting, security supervisor</p>	<p style="text-align: right;">Page 172</p> <p>1 better to make the prison more secure? 2 A. I don't think, no, no, ma'am. 3 Q. And do you recall any instances of 4 specifically telling anyone at those 5 meetings, the supervisor security meetings, 6 that they needed to do something different 7 than what they had already been doing to 8 make the prison more secure? 9 A. No, ma'am. Just hammered it home 10 every opportunity I had that our -- the 11 safety and security of the facility hinged 12 on the correctional officer doing their job, 13 roving around and doing basic Corrections 14 101, roving and searching. 15 Q. Were there any practices in place 16 to check whether an inmate was in the right 17 place? 18 A. We would do bed roster counts. 19 When we do bed roster counts, the inmates 20 that were out of their areas would receive 21 disciplinaries and then they would be 22 escorted back to where they were assigned. 23 Q. What is a bed roster check?</p>
<p style="text-align: right;">Page 171</p> <p>1 meeting. And twice a year, we would have a 2 staff meeting where it was mandatory for 3 every correctional officer and employee that 4 worked for the institution to attend. 5 Q. What was covered at the security 6 supervisor meeting? 7 A. Anything that we needed to discuss 8 that was -- anything that we just needed to 9 discuss about what was going on in the 10 prison, anything that anybody would submit a 11 topic or a request for a topic. 12 We would just talk about security 13 issues, just about Corrections 101, roving, 14 making sure the correctional officers are 15 roving the cell blocks or roving their area 16 of responsibility and do the appropriate 17 shakedown, frisk search or cell searches or 18 area searches, whatever they do, the shifts 19 do their area searches, just do their part. 20 Q. Do you recall any of these 21 supervisor security meetings where someone 22 came to you and said, Warden Estes, I think 23 we need to be doing this better or that</p>	<p style="text-align: right;">Page 173</p> <p>1 A. Well, there is a printed roster 2 that has every name of the inmates at the 3 facility and the bed with which they sleep 4 in, and it is organized by dormitories. 5 And the officer takes that and 6 goes and physically checks the inmate's ID 7 to make sure he matches his ID and he 8 matches where the bed roster claims he's 9 supposed to be. 10 Q. Can you tell me more about these 11 IDs that the inmates had? 12 A. State-issued IDs just has their 13 picture on it and some other information, 14 much like a nondrivers driver's license for 15 the State of Alabama has on it, basic 16 information. 17 Q. Were the inmates required to hold 18 these ID cards? 19 A. They were required to have them in 20 their possession, yes, ma'am. 21 Q. Would inmates be disciplined if 22 they didn't have them in their possession? 23 A. They could be, yes, ma'am.</p>

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<p style="text-align: right;">Page 194</p> <p>1 down the facility or I need to bring in 2 some -- someone from the sheriff's office or 3 anything else, any particular moments where 4 it was especially violent? 5 A. Well, I had no authority to bring 6 anybody from the sheriff's office into the 7 institution, okay? 8 Q. Did you have authority to bring in 9 something called the CERT team? 10 A. I had authority to request the 11 CERT team to come in. But let me ask you a 12 question, all right? Would you not think -- 13 consider it to be a hard day if you had to 14 call somebody's mother and say they were 15 killed inside of a penitentiary or to tell 16 them that their son was injured inside the 17 penitentiary? 18 So yeah, I had some bad days, but 19 do you think that St. Clair was anymore 20 dangerous than any other place? No ma'am, 21 it wasn't, because I had to make those same 22 phone calls at Level IV camps and any other 23 camp I've ever worked at.</p>	<p style="text-align: right;">Page 196</p> <p>1 wasn't violating the rules and regulations 2 and were wanting to get out of prison. 3 Other than that, if an inmate 4 needed to make a little money, he could sell 5 his wristband to somebody else, or he 6 could -- the individuals could cut their 7 wristbands off, put a little piece of 8 elastic on it out of their underwear and 9 slip them on and off any time they wanted 10 to, change them out any time they wanted to 11 go into another door, put a different color 12 band on their arm. It wasn't effective 13 whatsoever. 14 Q. Was that wristband policy 15 something you inherited when you came to St. 16 Clair? 17 A. Absolutely, like it was in every 18 facility. 19 Q. Was the wristband policy something 20 you had authority to change at all? 21 A. It was just something that we did. 22 It was something that central office wanted 23 and so we did it.</p>
<p style="text-align: right;">Page 195</p> <p>1 Q. Making all these calls, you're in 2 a leadership position, making all these 3 calls, do you accept this is just part of 4 the job, and the rate at which I'm making 5 these calls is just part of the job, or did 6 you ever think to yourself there's more I 7 can do here, there's got to be a way that 8 I'm making less of these calls? 9 A. Corrections 101, making sure our 10 officers are out there roving around in the 11 cell blocks, looking and observing what's 12 going on and making sure they do their 13 searches. 14 Q. I want to turn to the wristband 15 policy. Is that something you were aware of 16 at St. Clair? 17 A. In every facility, they have 18 wristbands, yes, ma'am. 19 Q. And how did that policy work in 20 practice? 21 A. Didn't work very good at any 22 facility. Only inmates that wore the 23 wristbands were those individuals that</p>	<p style="text-align: right;">Page 197</p> <p>1 Q. Did you have authority to change 2 it if you wanted to? 3 A. Change it in what way, what are we 4 referring to? 5 Q. So if you could -- for example, 6 did you have any authority to change what 7 the wristbands were made out of or require 8 that they were any more difficult to remove? 9 A. They were plastic wristbands, 10 that's what we bought, that's what they 11 bought statewide. There wasn't metal, there 12 wasn't anything that wasn't cuttable. Or 13 even if they were made out of metal, a 14 convict is going to figure out a way to get 15 them off their arm. 16 Q. Did you have any authority to set 17 any disciplinary procedures in place for 18 inmates who didn't have the wristband? 19 A. Disciplinary procedures were 20 already in place. Admin reg already covered 21 that. 22 Q. And you did not have authority to 23 change the admin reg about that?</p>

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<p style="text-align: right;">Page 198</p> <p>1 A. Correct. Yes, ma'am.</p> <p>2 Q. Okay. I think -- how often do you</p> <p>3 think that the correctional officers relied</p> <p>4 on the wristbands to monitor prison</p> <p>5 movement?</p> <p>6 A. Something they looked at, you</p> <p>7 know, they glanced down. If a convict come</p> <p>8 out of a door that was supposed to be this</p> <p>9 color or that color or go in a door, they</p> <p>10 would glance at it, but were they a hundred</p> <p>11 percent effective, they knew they weren't.</p> <p>12 Just a tool.</p> <p>13 Q. Were there others at the prison</p> <p>14 other than you who shared your view that the</p> <p>15 wristband policy was not effective?</p> <p>16 A. Probably everybody did.</p> <p>17 Q. Do you recall any conversations</p> <p>18 with any shift commanders or correctional</p> <p>19 officer saying, I don't think this works?</p> <p>20 A. No.</p> <p>21 Q. How often, based on your</p> <p>22 understanding, would a correctional officer</p> <p>23 be escorting an inmate from where they were</p>	<p style="text-align: right;">Page 200</p> <p>1 reports of incidents, how often were those</p> <p>2 incidents caused by an inmate who was in a</p> <p>3 place they weren't supposed to be?</p> <p>4 A. I'm not going to say every one of</p> <p>5 them was. You know, probably more than 50</p> <p>6 percent, though, uh-huh.</p> <p>7 Q. Did that number bother you at all</p> <p>8 that maybe more than 50 percent of the</p> <p>9 incidents were caused by inmates being</p> <p>10 somewhere they weren't supposed to be?</p> <p>11 A. I've been in corrections 36 and a</p> <p>12 half years, it's the same all over; that's</p> <p>13 what they do.</p> <p>14 Q. And I think we can turn to talk a</p> <p>15 little bit more about H dorm specifically.</p> <p>16 And I know we have established that H dorm</p> <p>17 was an open dormitory, is what you called</p> <p>18 it, as opposed to individual cell block?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. And who qualified, if anyone, to</p> <p>21 live in H dorm while you were working?</p> <p>22 A. H dorm was a therapeutic</p> <p>23 community, meaning it was a program</p>
<p style="text-align: right;">Page 199</p> <p>1 not supposed to be to where they were</p> <p>2 supposed to be?</p> <p>3 A. How often did that occur?</p> <p>4 Q. On a daily basis.</p> <p>5 A. I have no idea. It could be ten,</p> <p>6 it could be 110. I just couldn't tell you.</p> <p>7 It just depends on when an officer sees</p> <p>8 somebody out of place, here you go, take</p> <p>9 them away.</p> <p>10 Q. And if they didn't have the</p> <p>11 wristband on to say where -- if the prisoner</p> <p>12 didn't have the wristband on to show where</p> <p>13 they were supposed to be, was there any way</p> <p>14 to determinatively find out quickly where</p> <p>15 they were supposed to be?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. How was that?</p> <p>18 A. They have a radio on their side,</p> <p>19 they call the shift commander's office via</p> <p>20 the radio and say, I got inmate so-and-so</p> <p>21 AIS number blank, blankety-blank, where is</p> <p>22 his assignment?</p> <p>23 Q. And how often -- when you received</p>	<p style="text-align: right;">Page 201</p> <p>1 dormitory, meaning it was a program designed</p> <p>2 to make inmates into mentors to where they</p> <p>3 could mentor one another, they could put --</p> <p>4 hopefully, the end game was once they were</p> <p>5 released from prison, they could go out into</p> <p>6 the general population and mentor those in</p> <p>7 their community to hopefully not come to</p> <p>8 prison in the first place.</p> <p>9 And so it was a program designed</p> <p>10 to make men better than what they were, give</p> <p>11 them ideas on how to have people skills, how</p> <p>12 to -- social skills, rather. There was</p> <p>13 probably a substance abuse component</p> <p>14 involved in it.</p> <p>15 There were several components, and</p> <p>16 it was all designed for that purpose, to</p> <p>17 build mentors, to build leaders in men.</p> <p>18 But it was a program that you</p> <p>19 would have to create an application to</p> <p>20 attend, or sometimes inmates would show up</p> <p>21 down to the H dorm and talk to the people</p> <p>22 about filling out an application to apply</p> <p>23 for the program.</p>

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<p style="text-align: right;">Page 206</p> <p>1 Q. Was it your view while you were 2 warden that there was no more gang violence 3 at St. Clair than there was anywhere else? 4 A. Correct. 5 Q. Was it your view as warden at St. 6 Clair that there wasn't any more 7 inmate-on-inmate violence than at the other 8 maximum security prisons? 9 A. I think those statistics that you 10 pointed out to me points that out. 11 Q. And was it also your view as 12 warden that the homicide rate at St. Clair 13 wasn't any higher than it was at the other 14 maximum security prisons? 15 A. I don't see that -- the statistics 16 you showed me didn't show any homicides at 17 any facility. 18 Q. I'm going to show you some -- I'm 19 going to try to do this quickly, go through 20 some incidents with you. 21 I keep talking and I lose track of 22 the time. 23 Let's start with -- I think we're</p>	<p style="text-align: right;">Page 208</p> <p>1 A. Yes, ma'am. 2 Q. -- if an inmate is bleeding as a 3 result of an inmate-on-inmate attack, how 4 would an inmate alert a correctional officer 5 that they were hurt? 6 A. How would they -- well, okay, I 7 would assume that they would walk up to them 8 and say, hey, listen, I just got into a 9 fight. Or that not being the case, the 10 officer might be patrolling around in the 11 living area and see an inmate sitting on the 12 bed with his mouth bleeding and say, hey, 13 man, what happened to you, you know, or 14 several different ways. 15 He could see this inmate in the 16 bathroom trying to wash his face, and he 17 would go in and say hey, what's going on, 18 you know. Either the convict brings it to 19 him or he observes it and asks questions 20 about it. 21 Q. Are you aware of any incidents 22 where it was difficult for an inmate to find 23 a correctional officer after getting into a</p>
<p style="text-align: right;">Page 207</p> <p>1 going to start with this one. Okay. I'm 2 marking Plaintiff's Exhibit 4, is that 3 right, which is a one-page document bearing 4 the Bates range CORR000611. 5 I will represent to you this is an 6 incident report dated March 5th, 2017, and 7 it is classified as an inmate-on-inmate 8 assault without serious injury. 9 10 (Plaintiff's Exhibit 4 was marked for 11 identification and is attached to the 12 original transcript.) 13 14 Q. Do you see that? 15 A. Yes, ma'am. 16 Q. So I want to ask you a few things 17 about this quickly. It says here: 18 Correctional Officer Thomas stated he didn't 19 see inmate [REDACTED] fighting but noticed 20 inmate [REDACTED] was bleeding from his mouth 21 and hand. Do you see that? 22 A. Uh-huh. 23 Q. So --</p>	<p style="text-align: right;">Page 209</p> <p>1 fight? 2 A. No. 3 Q. Do you think there were -- that 4 there could have been any other tools in 5 place to better help prisoners get ahold of 6 correctional officers when they needed them? 7 A. No. 8 Q. Also it says here that you were 9 notified at 8:23 p.m., which looks like it 10 was about 19 minutes after the correctional 11 officer called in the fighting. Do you see 12 that? 13 A. Uh-huh. 14 Q. Do you recall being notified of 15 this incident? 16 A. Just reading this right here, 17 ma'am. 18 Q. But you have no recollection of 19 this specific incident? 20 A. No, ma'am. 21 Q. And why do you think that is? 22 A. I'm 63 years old. 23 Q. Did this -- this incident did</p>

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<p style="text-align: right;">Page 210</p> <p>1 not -- this particular incident did not make 2 a strong memory in your mind that you've 3 carried to today? 4 MR. REEVES: Object to the form. 5 A. I wouldn't -- no, ma'am, it did 6 not. 7 Q. It says here at the end, it says: 8 Inmate [REDACTED] admits to being a [REDACTED] 9 [REDACTED], but refuses to cooperate in 10 any way. Investigation continues and 11 further information to follow. Inmate 12 [REDACTED] will receive a disciplinary for 13 institutional security. Do you see that? 14 A. Yes, ma'am. 15 Q. Do you have any idea of what 16 disciplinary for institutional security 17 means here? 18 A. What disciplinary was instituted 19 here, no, ma'am, I do not. 20 Q. Do you know what this correctional 21 officer would have meant by he received a 22 disciplinary for institutional security? 23 A. We would have to pull that</p>	<p style="text-align: right;">Page 212</p> <p>1 an incident report had to be written for, 2 the on-call official has to be made aware 3 of. 4 Q. Did you take any actions after you 5 were notified of this incident? 6 A. Not in this particular one, no. 7 Q. And was that common for you not to 8 need to take any specific action as the 9 on-call security official? 10 A. Yes, ma'am. 11 Q. Okay. The next one I'm going to 12 mark as Plaintiff's Exhibit 5. And this is 13 also a one-page document bearing the Bates 14 range CORR000613. 15 And I will represent to you this 16 is an incident report dated March 26th, 17 2017. Do you see that? 18 19 (Plaintiff's Exhibit 5 was marked for 20 identification and is attached to the 21 original transcript.) 22 23 A. Uh-huh.</p>
<p style="text-align: right;">Page 211</p> <p>1 disciplinary and see what he was written up 2 for. 3 Q. Do you think that the correctional 4 officer should have indicated here what the 5 inmate was written up for? 6 A. It's not necessary there. I mean, 7 that's the reason why we have 8 disciplinaries. 9 Q. And why were you notified of the 10 incident? 11 A. I was -- apparently I was the 12 on-call security -- I was the on-call person 13 for the facility during this week. 14 Q. How often were you an on-call 15 security official? 16 A. I had three captains, and it was 17 once every six weeks. I take that back. 18 Once every six weeks by myself, and then any 19 time a captain was the on-call official, I 20 had to back them up. 21 Q. And what were your duties as the 22 on-call security official? 23 A. After hours if something occurred,</p>	<p style="text-align: right;">Page 213</p> <p>1 Q. And please let me know if you want 2 to take the time to read over the whole 3 thing, but there are a few parts I wanted to 4 draw your attention to. 5 One of them is the second sentence 6 where it starts with: At that time, 7 Sergeant England and Lieutenant Larry Baker 8 went to G dormitory and observed inmate 9 [REDACTED] lying face down bleeding from his 10 forehead. 11 So I want to clarify here that 12 reading this, it appears that whatever 13 injury this inmate sustained was not 14 observed by any correctional officer. Does 15 that sound right to you? 16 A. Well, let me take an opportunity 17 to read this. 18 Q. Sure. 19 A. Okay. (Witness reviews document.) 20 Okay. Uh-huh. 21 Q. So turning back to the second 22 sentence, Sergeant England, Lieutenant Larry 23 Baker observed the inmate lying face down</p>

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<p style="text-align: right;">Page 218</p> <p>1 skinned his knee or murdered, it bothers me, 2 and it bothered me then and it bothers me 3 now. 4 Q. So just to get a yes or no, were 5 knives a problem at St. Clair while you were 6 a warden there? 7 A. Not any more than any other 8 facility in Alabama. 9 Q. But they were a problem, right? 10 A. You can look at every incident 11 report for a prison in Alabama and they find 12 prison made knives or inmate made knives in 13 a facility, everywhere. 14 Q. So did you consider them -- did 15 you consider knives to not be a problem at 16 St. Clair because you viewed the amount of 17 knives to be the same as at all other 18 prisons? 19 A. No, ma'am. I view knives to be 20 very problematic inside the penitentiary. I 21 would much rather convicts hit each other 22 with fisticuffs instead of using a club or 23 weapon or a knife.</p>	<p style="text-align: right;">Page 220</p> <p>1 and they'll keep folding it and folding it 2 until it makes something rigid and use that 3 as a weapon. 4 Any piece of metal that you 5 possibly can think of, they'll use it as a 6 weapon. 7 Q. Would a Coke can turned into a 8 knife, would that be picked up on a metal 9 detector in a prison? 10 A. It's aluminum. I think some metal 11 detectors do pick up aluminum, but I don't 12 know if it has to be -- usually it's ferrous 13 metal, so usually it's either steel or 14 something like that, so aluminum might be 15 problematic. 16 Q. How about the chain link knives, 17 would those be picked up? 18 A. That's metal. That's ferrous 19 metal. 20 Q. But it's fair to say that there 21 were other types of knives that could 22 inflict serious injury that couldn't have 23 been picked up on by a metal detector,</p>
<p style="text-align: right;">Page 219</p> <p>1 But I'm not going to sit here and 2 say that St. Clair was any worse or had any 3 more knives than any other facility in the 4 State of Alabama or anywhere else does 5 because it just was not true. Or if they 6 were condoned by any staff member in Alabama 7 for you to have -- let that convict have a 8 knife, hell, no, that didn't occur. 9 Q. What kind of knives were recovered 10 from inmates while you were a warden at St. 11 Clair? 12 A. I will give you the whole gamut, 13 all right? Knives are made out of chain 14 link fence, just the chain itself. 15 The ends of the chain link fence, 16 they have called a tension rod or stretcher 17 rod. Those rods are taken off and cut into 18 pieces and sharpened down to make weapons. 19 You've got bed rails. They bust 20 the rails that had -- the box slides in on, 21 they bust the rails off and make weapons out 22 of those. 23 They will take a can, a Coke can,</p>	<p style="text-align: right;">Page 221</p> <p>1 right? 2 A. Yes, ma'am. I've seen inmates -- 3 at one time or another, the healthcare unit 4 might issue a splint that might have a piece 5 of aluminum in it, and I've seen those taken 6 and sharpened and used as weapons. 7 Most of our brogans had a little 8 steel shank in them, and they would cut the 9 brogans open and take that piece of metal 10 out of it and use that for a -- but the 11 boots would set off the metal detectors, 12 too. 13 Q. As the head warden at St. Clair, 14 did you ever have a moment where you thought 15 we're going to crack down on knives and 16 here's what we're going to do differently, 17 or did you find that the searches, the 18 shakedowns that were happening were 19 sufficient? 20 A. The CERT team would come in and 21 search the entire institution, and we would 22 find hundreds of knives. And the next week, 23 there would be plenty more inside the</p>

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<p style="text-align: right;">Page 222</p> <p>1 institution.</p> <p>2 Q. How many times do you recall you</p> <p>3 made a request for the CERT team to come in?</p> <p>4 A. I can't -- I can't put a number on</p> <p>5 it. But, you know, we had them coming as</p> <p>6 often as we needed to, as often as we felt</p> <p>7 it was important to call for their presence</p> <p>8 to be in the institution.</p> <p>9 I wasn't fearful about calling for</p> <p>10 the CERT team to come in if there was a need</p> <p>11 for them to come in.</p> <p>12 Q. Looking back on your time at St.</p> <p>13 Clair, are there any incidents that come to</p> <p>14 mind such as, you know, wow, that was a</p> <p>15 really bad assault that just sticks with --</p> <p>16 that has stuck with you? Any particular</p> <p>17 incident, whether assault on another inmate</p> <p>18 or an assault on a correctional officer,</p> <p>19 that has stayed with you to today?</p> <p>20 A. Kind of hard to see a lieutenant</p> <p>21 stabbed multiple times in the chest and</p> <p>22 abdomen, yes, ma'am, I hated to see that.</p> <p>23 Q. Do you know approximately when</p>	<p style="text-align: right;">Page 224</p> <p>1 A. I need to take a break. I need to</p> <p>2 go to the restroom.</p> <p>3 Q. Okay. That's fine.</p> <p>4 THE VIDEOGRAPHER: We are going</p> <p>5 off the record at 1:53 p.m.</p> <p>6</p> <p>7 (Short recess.)</p> <p>8</p> <p>9 THE VIDEOGRAPHER: This begins</p> <p>10 Media 4 in the deposition of Dewayne Estes.</p> <p>11 We're going back on the record at 2:00 p.m.</p> <p>12 Q. (BY MS. GARRETT:) So I believe</p> <p>13 we're looking at Plaintiff's Exhibit 5 right</p> <p>14 now, just two more things here. One, it</p> <p>15 says you were notified of the incident. Do</p> <p>16 you recall this particular incident?</p> <p>17 A. No, ma'am.</p> <p>18 Q. And it says here that you</p> <p>19 contacted Associate Commissioner Grant</p> <p>20 Culliver.</p> <p>21 A. Uh-huh.</p> <p>22 Q. Who was he?</p> <p>23 A. He was the next step above the</p>
<p style="text-align: right;">Page 223</p> <p>1 that was?</p> <p>2 A. I can't tell you. I think it was</p> <p>3 2015.</p> <p>4 Q. And do you recall what you did, if</p> <p>5 anything, after hearing about that?</p> <p>6 A. I was there.</p> <p>7 Q. You witnessed the incident?</p> <p>8 A. I didn't witness it. He was</p> <p>9 laying on the sidewalk when I -- I was the</p> <p>10 on-call official and I was the calvary, and</p> <p>11 here I go up there when they called and, you</p> <p>12 know.</p> <p>13 Q. Do you think there was anything</p> <p>14 that anyone at St. Clair could have done to</p> <p>15 prevent that specific injury?</p> <p>16 A. No, ma'am.</p> <p>17 Q. And do you think that the way St.</p> <p>18 Clair handled that particular attack was</p> <p>19 sufficient for purposes of keeping everyone</p> <p>20 at the prison safe?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. Okay. A few more things about</p> <p>23 this and we can turn to the next one.</p>	<p style="text-align: right;">Page 225</p> <p>1 regional coordinators. I guess for some</p> <p>2 reason or other I wasn't able to get Ms.</p> <p>3 Price or Mr. Ellington. Maybe Ms. Price was</p> <p>4 on vacation or something, and I was told any</p> <p>5 contact to make to Mr. Culliver. I don't</p> <p>6 remember what the situation was, I don't</p> <p>7 remember that.</p> <p>8 Q. So in the last incident report we</p> <p>9 looked at, it looked like you didn't have to</p> <p>10 inform anyone, but here you did inform</p> <p>11 someone. Do you know why you contacted</p> <p>12 someone here in this incident?</p> <p>13 A. Injury.</p> <p>14 Q. Serious injury?</p> <p>15 A. Yeah.</p> <p>16 Q. Got it. And at the -- at the end</p> <p>17 here, it says inmate [REDACTED] signed a release</p> <p>18 of liability and a living agreement?</p> <p>19 A. Uh-huh.</p> <p>20 Q. Do you know what the release of</p> <p>21 liability refers to?</p> <p>22 A. Someone it says identified this</p> <p>23 inmate -- I forget who it says identified.</p>

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<p style="text-align: right;">Page 230</p> <p>1 report, would you deduce from this report 2 that an inmate was stabbed without a 3 correctional officer observing the stabbing? 4 A. Well, let me -- give me an 5 opportunity to read the darn thing. I'm a 6 little slow, so bear with me. (Witness 7 reviews document.) 8 Okay. Sorry. I'm slow. 9 Q. No problem. So is it fair to say 10 that based on what's written in this report, 11 an inmate was stabbed in H dorm and no 12 correctional officer observed the actual 13 stabbing? 14 A. By reading the report, that's what 15 I gathered from this report. 16 Q. And it says that a rover in H dorm 17 was approached. I know we spoke a little 18 bit about this, but can you clarify for me, 19 were there [REDACTED] rovers who were assigned to H 20 dorm at one time or is it possible that CO 21 Rock was the only rover assigned to H dorm 22 that night? 23 A. It's possible that Mr. Rock could</p>	<p style="text-align: right;">Page 232</p> <p>1 Q. Which is another one-page incident 2 report, now bearing the Bates range 3 CORR000631. And I will represent that this 4 is an incident report dated July 22nd, 2017; 5 is that right? 6 A. That's what it has there, yes, 7 ma'am. 8 Q. And this one is classified as an 9 inmate-on-inmate homicide; is that right? 10 A. That's what it has here, yes, 11 ma'am. 12 Q. So take the time if you need to to 13 read over this, but do you recall this 14 particular homicide? 15 A. Yes, ma'am. I recall this -- the 16 homicide, yes, ma'am. 17 Q. What do you recall about it? 18 A. I was notified of it and I went to 19 the cell block with the investigator and 20 just observed the cell and the inmate in the 21 cell. Other than that, that's all I -- I&I 22 was responsible for investigating it. 23 Q. You were responsible for</p>
<p style="text-align: right;">Page 231</p> <p>1 have been the only rover there. We'd have 2 to check the duty roster to determine that. 3 Q. Did you take any action as a 4 result of this incident being reported to 5 you? 6 A. Did I take any action? No, I did 7 not. 8 Q. Did you think that there needed to 9 be any changes to St. Clair as a result of 10 this incident? 11 A. No, I did not. 12 Q. Did you think that this incident 13 meant that the H dorm was any less safe? 14 A. No, I did not. 15 Q. Did this incident change your 16 opinion on the safety of H dorm? 17 A. No, it did not. 18 Q. We will now mark Plaintiff's 19 Exhibit 7. 20 21 (Plaintiff's Exhibit 7 was marked for 22 identification and is attached to the 23 original transcript.)</p>	<p style="text-align: right;">Page 233</p> <p>1 investigating it? 2 A. I&I was responsible for 3 investigating it. 4 Q. I&I, I apologize, I thought you 5 said I. And who did I&I report to about 6 their investigation? 7 A. Well, Mr. Mercado is the head of 8 I&I. The individual investigators fills out 9 the report and sends it to Mr. Mercado, and 10 who Mr. Mercado sends it to ain't in my 11 chain, so I don't know. 12 Q. Did you have any involvement in 13 this particular investigation, whether -- 14 A. No, ma'am. 15 Q. -- during -- did the result of 16 this investigation get reported to you? 17 A. No, ma'am. 18 Q. Did you have access to the results 19 of the investigation? 20 A. I don't recall that I did. I 21 don't think so. 22 Q. Was it important to you to find 23 out whether I&I had done a sufficient job</p>

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<p style="text-align: right;">Page 238</p> <p>1 viewed, so they do that.</p> <p>2 Q. So it's your view that cameras</p> <p>3 could not have prevented this homicide?</p> <p>4 A. I'm not saying that they can't.</p> <p>5 Don't have an opinion about that.</p> <p>6 Q. Okay. Do you think that there's</p> <p>7 anything that could have prevented this</p> <p>8 homicide?</p> <p>9 A. I don't know what the situation</p> <p>10 was. If it was a situation where the inmate</p> <p>11 was in debt or he was in fear of his life,</p> <p>12 if he would have come to the correctional</p> <p>13 officer and said, hey, man, I got myself</p> <p>14 into a mess, I need some help, that would</p> <p>15 have probably taken care of the whole</p> <p>16 situation. If inmates would just say, hey,</p> <p>17 listen, I need some help.</p> <p>18 Q. Do you recall any staff meetings</p> <p>19 where anyone talked about what could have</p> <p>20 been done differently to prevent this</p> <p>21 homicide?</p> <p>22 A. No.</p> <p>23 Q. So is it your view sitting here</p>	<p style="text-align: right;">Page 240</p> <p>1 incident?</p> <p>2 A. No.</p> <p>3 Q. For the incident reports that</p> <p>4 mention that you were notified, do you have</p> <p>5 any reason to believe that any of that would</p> <p>6 be inaccurate, that -- do you have any</p> <p>7 reason to believe a correctional officer</p> <p>8 would say you were notified --</p> <p>9 A. If it says I was notified, I was</p> <p>10 notified.</p> <p>11 Q. Okay. We're going to mark</p> <p>12 Plaintiff's Exhibit 8.</p> <p>13</p> <p>14 (Plaintiff's Exhibit 8 was marked for</p> <p>15 identification and is attached to the</p> <p>16 original transcript.)</p> <p>17</p> <p>18 Q. Which is another one -- two-page</p> <p>19 incident report bearing the Bates range</p> <p>20 CORR000672, which is an incident report from</p> <p>21 February 9th, 2018. Do you see that?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. And do you see this is another</p>
<p style="text-align: right;">Page 239</p> <p>1 today that there was nothing St. Clair could</p> <p>2 have done to prevent this homicide?</p> <p>3 A. I don't think I can have an</p> <p>4 opinion about that. I think that all I can</p> <p>5 say is is that I can't say if we did this or</p> <p>6 Y or Z that the situation would have been</p> <p>7 different.</p> <p>8 I know the situation would have</p> <p>9 been different if either convict involved in</p> <p>10 it said, hey, listen, I got this going on</p> <p>11 here, we could have took care of it.</p> <p>12 But to say if we did this or that</p> <p>13 there would have been a different outcome,</p> <p>14 it gets back down to opportunity. If</p> <p>15 someone has a deep-seeded reason to do</p> <p>16 something, they're going to find an</p> <p>17 opportunity to do it.</p> <p>18 Q. Did you make any policy changes at</p> <p>19 St. Clair as a result of this homicide?</p> <p>20 A. No.</p> <p>21 Q. Did you believe after this</p> <p>22 homicide occurred that the N 2 block was any</p> <p>23 less safe than it had been prior to this</p>	<p style="text-align: right;">Page 241</p> <p>1 incident report classified as an</p> <p>2 inmate-on-inmate homicide?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. Do you have any recollection of</p> <p>5 this homicide?</p> <p>6 A. Let me read over it. (Witness</p> <p>7 reviews document.)</p> <p>8 Okay. Uh-huh.</p> <p>9 Q. Do you have any independent</p> <p>10 recollection of this homicide?</p> <p>11 A. No, I don't.</p> <p>12 Q. And does that surprise you that</p> <p>13 you don't recall this homicide?</p> <p>14 A. Well, generally, I thought I</p> <p>15 remembered most of them. I just don't</p> <p>16 recall this one.</p> <p>17 Q. Is there anything about this one</p> <p>18 that would make it less memorable for you?</p> <p>19 A. No.</p> <p>20 Q. It says here that you were</p> <p>21 notified approximately 1:10 p.m. Do you see</p> <p>22 that?</p> <p>23 A. Yes, ma'am.</p>

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<p style="text-align: right;">Page 242</p> <p>1 Q. Do you have any reason to believe 2 that you were not notified at 1:10 p.m.? 3 A. No, ma'am. 4 Q. And this occurred at -- outside of 5 the L dorm; is that right? 6 A. That's what it says, yes, ma'am 7 uh-huh. 8 Q. And did you take any specific 9 actions as a result of this homicide? 10 A. No, ma'am. 11 Q. Do you feel like this homicide 12 made outside of the L dorm any less safe? 13 A. No, ma'am. 14 Q. Do you recall any staff meetings 15 where you discussed how to make certain 16 institutional changes to prevent a homicide 17 like this one? 18 A. No, ma'am. Now, I just want to 19 say that we continued on a daily -- every 20 staff meeting to say to continue to do 21 Correctional 101, rove, observe, supervise, 22 shakedown. Okay? 23 Q. Okay. I want to turn now to the</p>	<p style="text-align: right;">Page 244</p> <p>1 bearing the Bates Number CORR001468. 2 3 (Plaintiff's Exhibit 9 was marked for 4 identification and is attached to the 5 original transcript.) 6 7 Q. Do you recognize this document? 8 A. Do I recognize it other than you 9 just giving it to me, no. 10 Q. Do you know what this document is? 11 A. It's a history of inmate's 12 movement, yes, ma'am. 13 Q. Is this a document that you would 14 have reviewed in the course of your -- 15 A. No, ma'am. 16 Q. -- duties? Who would have been 17 responsible for maintaining this type of 18 document? 19 A. This is printed off a computer. 20 It's printed off when a reason for it to be 21 printed off, it's printed off. 22 Q. And do you understand that Cortez 23 Whittington, the inmate listed here, is the</p>
<p style="text-align: right;">Page 243</p> <p>1 incident that's at issue here in this 2 lawsuit. 3 A. Uh-huh. 4 Q. Do you recall that incident? 5 A. No, ma'am. 6 Q. And why do you think that is? Any 7 thoughts on why -- 8 A. No, ma'am, you know, just other 9 than time, ma'am. I mean, I'm 60 years old, 10 I retired three years ago. I try to forget 11 as much as I can forget, you know. I try to 12 take care of my grandkids and play with my 13 grandkids. That's the most important thing 14 to me right now. 15 Q. So are you -- when I say the name 16 Aundra Boykins as the plaintiff, do you have 17 any specific memories of him? 18 A. No, ma'am. 19 Q. Do you have any specific memories 20 of his assailant Cortez Whittington? 21 A. No, ma'am. 22 Q. Okay. I'm going to mark 23 Plaintiff's Exhibit 9. It is a document</p>	<p style="text-align: right;">Page 245</p> <p>1 inmate who Mr. Boykins says in the complaint 2 stabbed him in H dorm in 2017? 3 A. Yes, ma'am. Yes, ma'am. 4 Q. So I want to turn to the second 5 page. It says here October 16th, 2017; 6 type, moved to bed; and it lists the bed as 7 P25-2A. Do you see that? 8 A. Where are we at? 9 Q. So the top row on the second page. 10 A. 10/16/17? 11 Q. Yes. 12 A. Okay. Got it. 13 Q. If you flip back to the first 14 page, it says that on December 3rd, 2017, he 15 was moved to a bed D31-1A. Do you see that? 16 A. Uh-huh. 17 Q. Is it, therefore, fair to assume 18 that between October 16, 2017 and December 19 3rd, 2017, he was assigned to the bed 20 P25-2A? 21 A. Yes, ma'am, uh-huh. 22 Q. Okay. And I'm going to now mark 23 Plaintiff's Exhibit 10, which is a document</p>

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<p style="text-align: right;">Page 250</p> <p>1 door. He could have been looking in the 2 bathroom area, roving in the bathroom area, 3 somebody come in the front door. He could 4 have been in the classroom area and somebody 5 come in the front door. 6 I mean, there's any number of 7 places that he could have been where he 8 might not observe someone coming through the 9 front door. 10 Q. So there was no -- at this time, 11 December 2nd, 2017, there was no one 12 stationed to patrol or confirm who was 13 coming in and out of H dorm; is that right? 14 A. No, that's incorrect. Officer 15 Walker was assigned to the dormitory. 16 Q. Okay. But is it fair to say that 17 there was no officer stationed at the 18 entrance to H dorm responsible solely for 19 controlling movement in and out of H dorm? 20 A. I don't like your question because 21 it's a vague question and it's a misnomer. 22 That's the reason why we assign correctional 23 officers to rove particular dormitories,</p>	<p style="text-align: right;">Page 252</p> <p>1 out, who was going in and out? 2 A. I don't think that would be a 3 useful use of correctional officers. I want 4 the correctional officer to be visible, to 5 be roving around inside the cell blocks, to 6 be visible to inmates doing their job roving 7 around. 8 I want them to be checking, 9 talking, looking at people's faces, seeing 10 their eyeballs, making sure that they're 11 okay, and shaking down when they can. 12 That's what I would use correctional 13 officers for to do. 14 Q. And based on the prior exhibit we 15 looked at, is it fair to say that inmate 16 Whittington was not authorized to be in H 17 dorm at this time? 18 A. That would be -- that would be a 19 fairly good assumption, yes, ma'am. Based 20 on the information we have. 21 Q. Do you have any knowledge as to 22 how inmate Whittington was able to get into 23 H dorm even though he was not authorized to</p>
<p style="text-align: right;">Page 251</p> <p>1 just as we assign them to rove P dormitory. 2 If you want to use P dormitory as 3 an example, that officer that's assigned to 4 P dormitory, he don't stand at a particular 5 place and watch the front door and every 6 convict that come in he asks them for their 7 ID to make sure they come in, because he has 8 other responsibilities to do. 9 He walks that entire dormitory to 10 make sure everybody is safe and secure and 11 that the facility is as secure it can be. 12 And in the process of doing that, if he runs 13 across somebody he's not familiar with or 14 don't see, hey, man, let me see your ID, and 15 then he checks them, and if they're from 16 another, he'll say, get out. 17 Q. So when I want to go into my 18 office building, I have to go by security 19 and I have to swipe in my ID card. If you 20 had extra correctional officers on staff, 21 would you put any of them at the entrances 22 to all of these dorms and blocks to check 23 their ID, see whether they were going in and</p>	<p style="text-align: right;">Page 253</p> <p>1 be there? 2 A. You know, like I said, inmates 3 walk around, they have to come -- if he's 4 assigned to the G complex, what we call the 5 population G complex, he comes from that 6 sidewalk between two buildings. And usually 7 there's an officer there. He could have 8 told them he was going to the healthcare 9 unit. 10 It's 4 p.m. They're probably in 11 the process of feeding then, so he could 12 have come out of the back door of the 13 kitchen and went down the tunnel that leads 14 to H dorm. There's any number of ways he 15 could have done it. 16 Q. Were there any special security 17 risks associated with that tunnel you're 18 referring to? 19 A. No, uh-uh. You know, people like 20 to call it a tunnel. It was a walkway 21 inside of a building. 22 Q. Got it. Do you know whether the 23 locks on H dorm versus the P block were any</p>

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<p style="text-align: right;">Page 254</p> <p>1 different from each other at this time?</p> <p>2 A. Yes, ma'am. It was a metal</p> <p>3 building, and metal buildings had</p> <p>4 notoriously bad locks. And so the front</p> <p>5 door -- the front door didn't even lock.</p> <p>6 Q. On H dorm?</p> <p>7 A. On H dorm, uh-huh.</p> <p>8 Q. At this date?</p> <p>9 A. Uh-huh.</p> <p>10 Q. And what about the P block where</p> <p>11 Whittington was assigned, was he supposed to</p> <p>12 be locked in at all or --</p> <p>13 A. I don't know. Again, it looks</p> <p>14 like it was associated with feeding. I</p> <p>15 don't know what point they were feeding. I</p> <p>16 don't know if this guy had secreted himself,</p> <p>17 lied and got himself into the kitchen when</p> <p>18 he went out to eat. I don't know what he</p> <p>19 did once he went out to go to eat or what</p> <p>20 the situation was.</p> <p>21 All we can really deduce is that</p> <p>22 the inmate was out of pocket down in H dorm.</p> <p>23 Q. And is it your understanding that</p>	<p style="text-align: right;">Page 256</p> <p>1 from coming into H dorm who were not</p> <p>2 authorized to be there?</p> <p>3 A. It's his duty to provide security,</p> <p>4 custody, and control of H dorm, which it</p> <p>5 looks like that's what he did when he looks</p> <p>6 up and observes the two inmates fighting,</p> <p>7 one with a knife, and he calls for</p> <p>8 assistance and they come down and take care</p> <p>9 of the incident. It looks like he done his</p> <p>10 job.</p> <p>11 Q. So yes or no, was it Officer</p> <p>12 Walker's duty to prevent Whittington from</p> <p>13 entering H dorm?</p> <p>14 A. If he was aware of this inmate</p> <p>15 being out of pocket and in that dormitory,</p> <p>16 then, yes, ma'am, that was one of his</p> <p>17 duties.</p> <p>18 Q. Do you know whether Officer Walker</p> <p>19 was disciplined as a result of this</p> <p>20 incident?</p> <p>21 A. For what?</p> <p>22 Q. Do you know whether he received</p> <p>23 any disciplinary action for this incident?</p>
<p style="text-align: right;">Page 255</p> <p>1 Officer Walker was responsible for the fact</p> <p>2 that Whittington was in H dorm when he was</p> <p>3 not authorized to be?</p> <p>4 MR. REEVES: Object to the form.</p> <p>5 A. No, ma'am. I haven't said that at</p> <p>6 all. I don't know where you got that from.</p> <p>7 I said Officer Walker was responsible for</p> <p>8 roving the dormitory, right? And that was</p> <p>9 one of his duties was to rove the dormitory,</p> <p>10 and if he observes somebody that's not there</p> <p>11 that's not supposed to be, challenge them</p> <p>12 and ask them if they're supposed to be</p> <p>13 there, and find out he's not, give him a</p> <p>14 disciplinary and send him back out or get</p> <p>15 somebody to come down and pick him up and</p> <p>16 take him to the shift commander's office and</p> <p>17 write him up or do any number of different</p> <p>18 things.</p> <p>19 But is he responsible for him</p> <p>20 being there, I'm not going to tell you he's</p> <p>21 responsible for that inmate being inside</p> <p>22 that dormitory.</p> <p>23 Q. Was it his duty to prevent inmates</p>	<p style="text-align: right;">Page 257</p> <p>1 A. What would you want me to write</p> <p>2 him up for?</p> <p>3 Q. We can talk about that, but I'm</p> <p>4 just wondering sitting here today, are you</p> <p>5 aware whether he received any disciplinary</p> <p>6 action?</p> <p>7 A. Based on this incident report, I</p> <p>8 can't see that he done anything wrong.</p> <p>9 Q. Are you aware of how long Officer</p> <p>10 Walker had been on duty at the time of this</p> <p>11 incident?</p> <p>12 A. I am not.</p> <p>13 Q. Would it surprise you to learn</p> <p>14 that Officer Walker had been on duty for</p> <p>15 approximately 23 hours?</p> <p>16 A. I'm not aware of that.</p> <p>17 Q. I'm going to turn to Plaintiff's</p> <p>18 Exhibit 11.</p> <p>19 A. Let me back up and say I don't</p> <p>20 recall being aware of that, let's put it</p> <p>21 that way.</p> <p>22 Q. Is that something you would have</p> <p>23 been aware of as the warden whether --</p>

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<p style="text-align: right;">Page 262</p> <p>1 so there you go, not 23 hours like you said.</p> <p>2 Q. Okay. So are you aware that the</p> <p>3 plaintiff in this case has alleged that</p> <p>4 Officer Walker was asleep at the time of the</p> <p>5 incident?</p> <p>6 A. Kind of convenient, isn't it?</p> <p>7 Q. And are you aware of any</p> <p>8 correctional officers at the time you were</p> <p>9 warden falling asleep during their shift?</p> <p>10 A. Yes, ma'am. And when they are</p> <p>11 caught by their supervisor, they're</p> <p>12 disciplined for it.</p> <p>13 Q. What kind of discipline would a</p> <p>14 correctional officer receive for falling</p> <p>15 asleep?</p> <p>16 A. It's in the admin regs the</p> <p>17 progressive discipline that one could get</p> <p>18 from it. I'm not going to sit here and try</p> <p>19 to recall from memory what it is, but it is</p> <p>20 through dismissal.</p> <p>21 If someone is caught sleeping for</p> <p>22 a number of times, they can be dismissed for</p> <p>23 that infraction, uh-huh.</p>	<p style="text-align: right;">Page 264</p> <p>1 like we did at the last deposition, we'll</p> <p>2 designate this portion of the transcript</p> <p>3 where we discuss this document as highly</p> <p>4 confidential for attorneys' eyes only as</p> <p>5 well.</p> <p>6 MS. GARRETT: Are you able to</p> <p>7 state for the record the basis for making</p> <p>8 that classification for this document?</p> <p>9 MR. REEVES: The reason it was</p> <p>10 marked?</p> <p>11 MS. GARRETT: Yes.</p> <p>12 MR. REEVES: Yeah, it's a security</p> <p>13 risk.</p> <p>14 MS. GARRETT: To discuss the</p> <p>15 layout of the prison?</p> <p>16 MR. REEVES: Yes. And to have it</p> <p>17 as a visual that's not protected, yes.</p> <p>18 MS. GARRETT: I just want to</p> <p>19 understand for the record.</p> <p>20 Q. (BY MS. GARRETT:) So did you</p> <p>21 receive a copy of this document?</p> <p>22 A. No, I did not.</p> <p>23 Q. Okay. I would like you to let me</p>
<p style="text-align: right;">Page 263</p> <p>1 Q. And do you know if Officer Walker</p> <p>2 was disciplined at any point for sleeping on</p> <p>3 the job?</p> <p>4 A. Why would someone be disciplined</p> <p>5 if he wasn't asleep on the job?</p> <p>6 Q. Just if at any point if you're</p> <p>7 aware that Officer Walker ever received any</p> <p>8 discipline for --</p> <p>9 A. No, I'm not aware of that.</p> <p>10 Q. Okay. The next exhibit I want to</p> <p>11 show you I'm going to mark as Plaintiff's</p> <p>12 Exhibit 12.</p> <p>13</p> <p>14 (Plaintiff's Exhibit 12 was marked for</p> <p>15 identification and is attached to the</p> <p>16 original transcript.)</p> <p>17</p> <p>18 Q. Which is a document CORR002173.</p> <p>19 MS. GARRETT: I believe we used</p> <p>20 this at the last deposition.</p> <p>21 MR. REEVES: Yes, you used this at</p> <p>22 a prior deposition. And because it's marked</p> <p>23 highly confidential, attorneys' eyes only,</p>	<p style="text-align: right;">Page 265</p> <p>1 know if you recognize this layout.</p> <p>2 A. This is not the way it's currently</p> <p>3 set up. And there is the dialysis building</p> <p>4 that's not shown. This unit here, this --</p> <p>5 well, W trailer is still there, I apologize.</p> <p>6 I don't think it's there now.</p> <p>7 I'm assuming that this is the</p> <p>8 dialysis building on this page here. Okay.</p> <p>9 So I guess as opposed to what it's</p> <p>10 supposed to depict here, the one on the back</p> <p>11 is the more accurate presentation of the</p> <p>12 facility.</p> <p>13 Q. Okay. So let's look at the one on</p> <p>14 the back. What I'd like you to walk me</p> <p>15 through, Mr. Estes, is how Whittington could</p> <p>16 have gotten from his bed in the P block to H</p> <p>17 dorm, and recognizing that we don't know for</p> <p>18 sure that that's what happened, but if you</p> <p>19 could walk me through how he could have</p> <p>20 gotten from the P block to H dorm.</p> <p>21 A. Okay. Again, anything that we're</p> <p>22 doing here, since we don't know how it</p> <p>23 occurred, would just be purely speculation.</p>

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<p style="text-align: right;">Page 266</p> <p>1 But the inmate Whittingham was 2 assigned to P dormitory, which if you see in 3 these star-shaped configuration, it's the 4 one closest to the front side of the 5 facility. This is the front side of the 6 facility, I think, yeah. 7 So he would come out this exit 8 door, hit that sidewalk and come through 9 this area that I was telling you about where 10 the two buildings are enclosed. And this is 11 called the G yard, and it would be coming -- 12 this sidewalk, I don't know if -- again, the 13 proximity in time indicates that it's close 14 to when we were feeding. I don't know in 15 what order that the facility was being fed 16 at that time. 17 P block could come out. If he 18 came out into -- going to the chow hall and 19 then somehow or another was able to secret 20 himself into the kitchen, or if he came out 21 of the chow hall and went down the tunnel, 22 so to speak, or this walkway that goes down 23 to H dorm, I can't tell you exactly how he</p>	<p style="text-align: right;">Page 268</p> <p>1 He could have gone through the 2 breezeway in the front by the shift 3 commander's office and conned somebody into 4 opening up a door and going that way. 5 I don't know how he got through 6 there. Its kind of like, it's opened up. 7 There's many areas he could have done it. 8 Q. If he followed this path, how many 9 metal detectors do you think he would have 10 gone through? 11 A. He wouldn't have gone through any 12 metal detectors. 13 Q. And -- 14 A. Unless they had set up the 15 portable metal detector, which I don't know 16 if it was set up that day or if it was set 17 up behind the kitchen, if it was set up on 18 the yard, on the T, if it was here, I don't 19 know. It could have been employed, couldn't 20 tell you. 21 But we already told you that 22 convicts can go by a metal detector and it 23 not go off.</p>
<p style="text-align: right;">Page 267</p> <p>1 did it. 2 I just know that those are the 3 routes that he would have taken would be 4 come through this walkway here and go down 5 there (indicating). 6 Q. Would you mind just drawing on a 7 highlighter the possible routes that one 8 could take from the P block to H dorm as of 9 December 2nd, 2017? 10 A. (Complies.) 11 Q. Okay. Thank you. 12 A. That's a straight path. There 13 could have been some other way, he could 14 have gone through some other way. I don't 15 know, but that is one. 16 Q. Can you think of any other way 17 sitting here today? 18 A. Ma'am, he could have come through 19 the breezeway. I don't know how he could 20 have done it. He could have got himself 21 released in a healthcare unit and released 22 out the back door of the healthcare unit, 23 said he was from H dorm.</p>	<p style="text-align: right;">Page 269</p> <p>1 Q. And how many cameras would have 2 picked up his movement from P to H on this 3 route? 4 A. At the time, I don't think that -- 5 other than the dayroom of P dorm, I don't 6 think there was a camera out that would have 7 picked him up. I don't recall any cameras 8 being out there. 9 Q. Would there have been any 10 checkpoints between P and H dorm where his 11 wristband would have been checked? 12 A. During chow, there's people on 13 that yard. Where he comes through the G 14 complex gate right there, there's generally 15 somebody there. There would be somebody at 16 the T directing traffic, if it was during 17 traffic. There would be somebody at the 18 back door of the kitchen -- somebody at the 19 front door of the chow hall, somebody at the 20 back door or the chow hall. There could be 21 somebody down in the tunnel or the walkway. 22 Mr. Walker was down in H dorm. I 23 mean, there could have been several people</p>

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<p style="text-align: right;">Page 270</p> <p>1 that was -- observed him.</p> <p>2 Q. Is it fair to say that you do not</p> <p>3 know how Whittington got to H dorm?</p> <p>4 A. That is correct.</p> <p>5 Q. And is it fair to say that based</p> <p>6 on the incident report, Officer Walker did</p> <p>7 not know how he -- how Whittington got to H</p> <p>8 dorm?</p> <p>9 MR. REEVES: Object to the form.</p> <p>10 A. I would have to say that that's</p> <p>11 correct, because if Officer Walker had of</p> <p>12 known him to be in H dorm, Mr. Walker would</p> <p>13 have kicked him out.</p> <p>14 Q. Okay. You do not recall being</p> <p>15 informed of this incident specifically; is</p> <p>16 that right?</p> <p>17 A. That is correct.</p> <p>18 Q. Do you recall whether you took any</p> <p>19 actions as a result of this incident?</p> <p>20 A. As a matter of fact, this incident</p> <p>21 occurred on a Saturday, and so like I said,</p> <p>22 I wasn't made aware of it until the Monday</p> <p>23 morning.</p>	<p style="text-align: right;">Page 272</p> <p>1 instances of inmate-on-inmate violence</p> <p>2 before coming to St. Clair?</p> <p>3 A. Couldn't tell you. Don't</p> <p>4 remember.</p> <p>5 Q. Is there anything that would</p> <p>6 refresh your recollection as to whether</p> <p>7 he --</p> <p>8 A. Sure, if I saw the inmate's file.</p> <p>9 Q. Okay. I will mark Plaintiff's</p> <p>10 Exhibit 13, which I believe is -- actually</p> <p>11 I'll come back to that one.</p> <p>12 I want to turn quickly to the</p> <p>13 issue of investigations of the prison. You</p> <p>14 already testified today that you were aware</p> <p>15 while you were warden of a pending lawsuit</p> <p>16 against the prison; is that right?</p> <p>17 A. Of a pending lawsuit against --</p> <p>18 Q. Of a lawsuit that was in effect,</p> <p>19 were you aware of that at the time that you</p> <p>20 were a warden?</p> <p>21 A. Are you talking about the Duke</p> <p>22 lawsuit?</p> <p>23 Q. Yes, yes.</p>
<p style="text-align: right;">Page 271</p> <p>1 Q. Are you -- do you recall whether</p> <p>2 you took any action specifically after this</p> <p>3 incident occurred?</p> <p>4 A. In relation to what?</p> <p>5 Q. Do you recall whether you took any</p> <p>6 actions as a result of this incident</p> <p>7 regarding institutional changes to St.</p> <p>8 Clair?</p> <p>9 A. No, ma'am. Did not.</p> <p>10 Q. Did this incident make you feel</p> <p>11 that H dorm was any less safe for prisoners?</p> <p>12 A. No, ma'am.</p> <p>13 Q. Do you recall having any staff</p> <p>14 meetings to discuss how this incident could</p> <p>15 have occurred?</p> <p>16 A. I don't recall any staff meetings.</p> <p>17 Q. Do you recall what happened to</p> <p>18 Whittington after this incident?</p> <p>19 A. I believe that that document that</p> <p>20 you showed us said -- showed he was placed</p> <p>21 into restrictive housing.</p> <p>22 Q. And are you aware sitting here</p> <p>23 today whether Whittington had any prior</p>	<p style="text-align: right;">Page 273</p> <p>1 A. Yes, ma'am.</p> <p>2 Q. And you were deposed in connection</p> <p>3 with that lawsuit while you were still</p> <p>4 warden?</p> <p>5 A. I'm pretty sure I was.</p> <p>6 Q. Do you recall whether there was an</p> <p>7 investigation by the Department of Justice</p> <p>8 while you were warden of the prison?</p> <p>9 A. An investigation of --</p> <p>10 Q. Of the conditions at St. Clair?</p> <p>11 A. I don't -- I don't think that they</p> <p>12 visited St. Clair. I was looking at that</p> <p>13 report that they issued, and I think -- I</p> <p>14 don't recall them visiting St. Clair.</p> <p>15 Donelson and Bibb, but I don't recall them</p> <p>16 visiting St. Clair.</p> <p>17 Q. So you never met with any DOJ</p> <p>18 attorneys or investigators?</p> <p>19 A. I don't recall.</p> <p>20 Q. Were you aware at the time that</p> <p>21 the DOJ was investigating the Alabama</p> <p>22 Department of Corrections?</p> <p>23 A. Yes, ma'am.</p>

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<p style="text-align: right;">Page 274</p> <p>1 Q. How did you become aware of that?</p> <p>2 A. It wasn't -- it wasn't a secret to</p> <p>3 anybody. I mean, it was known. It was in</p> <p>4 the papers, it was on the news.</p> <p>5 Q. Did anyone talk to you about how</p> <p>6 that investigation was going at any point</p> <p>7 while you were a warden?</p> <p>8 A. No.</p> <p>9 Q. Okay. I am going to mark</p> <p>10 Plaintiff's Exhibit 13 now, which will be --</p> <p>11 okay.</p> <p>12</p> <p>13 (Plaintiff's Exhibit 13 was marked for</p> <p>14 identification and is attached to the</p> <p>15 original transcript.)</p> <p>16</p> <p>17 Q. Is this the document that you were</p> <p>18 referring to?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Is this a document that you</p> <p>21 reviewed in preparation for your deposition?</p> <p>22 A. I reviewed it long before that, I</p> <p>23 think the day it came out or something like</p>	<p style="text-align: right;">Page 276</p> <p>1 Q. Do you remember when you first --</p> <p>2 let me rephrase.</p> <p>3 Is this CRIPA investigation by the</p> <p>4 department the investigation that you were</p> <p>5 aware of when you were warden of St. Clair?</p> <p>6 A. Yeah, I don't know what CRIPA</p> <p>7 stands for. But I am aware of an</p> <p>8 investigation by the Department of Justice.</p> <p>9 Q. Yeah.</p> <p>10 A. Of the Department of Corrections</p> <p>11 in Alabama, so --</p> <p>12 Q. Yeah. I can represent to you on</p> <p>13 the first -- on Page 1, it says CRIPA stands</p> <p>14 for Civil Rights of Institutionalized</p> <p>15 Persons Act.</p> <p>16 A. Okay.</p> <p>17 Q. So do you know when approximately</p> <p>18 after October 2016 you learned about this</p> <p>19 investigation?</p> <p>20 A. No, uh-uh.</p> <p>21 Q. Do you recall any specific staff</p> <p>22 meetings where this investigation was</p> <p>23 discussed?</p>
<p style="text-align: right;">Page 275</p> <p>1 that.</p> <p>2 Q. Okay. There are just a few things</p> <p>3 I want to ask you about here. First, can</p> <p>4 you state for the record what this document</p> <p>5 is?</p> <p>6 A. I didn't write the document, but</p> <p>7 the document says it's Investigation of</p> <p>8 Alabama State Prisons for Men.</p> <p>9 Q. Okay. And this is dated April</p> <p>10 2nd, 2019; is that right?</p> <p>11 A. Okay, uh-huh.</p> <p>12 Q. And it says here that, on Page 3,</p> <p>13 that the department opened an investigation</p> <p>14 in October 2016, do you see that?</p> <p>15 MR. REEVES: Object to the form.</p> <p>16 Q. It says here that the department</p> <p>17 opened a CRIPA investigation into the</p> <p>18 conditions in ADOC facilities housing male</p> <p>19 prisoners in October 2016. Do you see that?</p> <p>20 A. I see that sentence right here.</p> <p>21 Q. And do you have any reason to</p> <p>22 believe that that statement is not true?</p> <p>23 A. No.</p>	<p style="text-align: right;">Page 277</p> <p>1 A. I believe I recall our</p> <p>2 commissioner stating that there was going to</p> <p>3 be an investigation, and any time someone</p> <p>4 comes to the facility, allow them in, be</p> <p>5 cooperative with the investigation. We just</p> <p>6 do what we do.</p> <p>7 Q. Are you familiar with the findings</p> <p>8 in this report?</p> <p>9 A. I believe I read over it. I</p> <p>10 can't -- I don't recall, you know -- tell me</p> <p>11 what you're referring to.</p> <p>12 Q. So just generally first, do you</p> <p>13 recall any strong reactions to this report</p> <p>14 or anything that you disagreed with?</p> <p>15 MR. REEVES: Object to the form.</p> <p>16 A. Absolutely. I believe that the</p> <p>17 large majority of this information that the</p> <p>18 Justice Department relied on was based on</p> <p>19 inmate -- interviewing inmates and not so</p> <p>20 much interviewing a correctional officer or</p> <p>21 establishing fact about what the inmate</p> <p>22 might have said, or if it was fact or</p> <p>23 fictional or made up or if it was the</p>

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<p style="text-align: right;">Page 302</p> <p>1 about it? Convicts are going to get in debt 2 situations. We say, hey, listen, don't 3 borrow from each other because that runs you 4 into a bad situation. 5 Don't involve yourself in 6 homosexual relationships, hey, don't do that 7 because that runs people into bad situations 8 and people can get themselves cut up or -- 9 don't do that. 10 I mean, we do that on a daily 11 basis; correctional officers do that every 12 day. You know, gang inmates, drugs, don't 13 do drugs, it leads to nothing but violence 14 inside of an institution. Don't try to sell 15 drugs. 16 I mean, every day, day in and day 17 out, that's what correctional officers do, 18 that's what sergeant -- that's what the 19 correctional officers do, that's what the 20 sergeants do, that's what the lieutenants 21 do, the captains do, the deputy wardens and 22 the warden every day. They work every day 23 to make sure that the institution is as safe</p>	<p style="text-align: right;">Page 304</p> <p>1 what happened so that maybe we could have 2 discerned something that might have been 3 useful in the moving forward to stop 4 something. Don't know. 5 Q. And just a few more questions. So 6 after everything we talked about today, 7 looking back what we refreshed your 8 recollection on, can you identify for me any 9 policy, procedure or practice changes that 10 you instituted at St. Clair with regards to 11 safety measures? 12 MR. REEVES: Object to the form. 13 A. As a result of this incident? 14 Q. Any incident. Let me rephrase the 15 question. 16 During your time as warden of St. 17 Clair, did you institute any changes to 18 policies, practices or procedures to make 19 the prison safer? 20 A. Okay. Every day we talked about 21 Corrections 101 is the only thing that 22 corrections is about. The only thing that 23 keeps the correctional institution secure</p>
<p style="text-align: right;">Page 303</p> <p>1 as it can possibly be. 2 Is it a hundred percent, hell no. 3 What in the world is a hundred percent, 4 nothing. Okay. Do we do a good job, hell 5 yeah, every day. Do they get enough money 6 for it, hell no. They need to be 7 compensated more for it. 8 Q. Is it your view sitting here today 9 talking about the reasons for 10 inmate-on-inmate assaults that it's possible 11 that the plaintiff, Mr. Boykins, was 12 responsible for what happened to him? 13 A. During the investigation, inmate 14 Boykins, from what I understand, says he 15 didn't want to prosecute, which effectively 16 stops the investigation. 17 We don't know what caused it. We 18 can't make any assumptions of what caused it 19 and what we could possibly prevent in the 20 future, okay? 21 It would have been greater if the 22 individual had participated in the 23 investigation so we could have understood</p>	<p style="text-align: right;">Page 305</p> <p>1 and the inmates in it safe and the staff 2 safe is the correctional officers doing 3 their job by roving day in and day out, if 4 they're in a roving post, to rove. If 5 they're in a roving post, shakedown, to. 6 If you're in a lockdown post like 7 a cubical, look at what you're supposed to 8 be looking at and observe. 9 I think this incident report that 10 you gave me pointed out that the security 11 officer did his job. He observed this 12 fight, he observed this inmate being 13 assaulted, he responded, he separated, he 14 got medical attention. The inmate that was 15 responsible for it was locked up. I mean, 16 he got a disciplinary for it, the guy got 17 medical attention for it. 18 I think the correctional officer 19 did a damn good job. 20 Q. So one thing -- I appreciate that. 21 I don't think it quite answers my question. 22 A. That's fine. 23 Q. What I'm trying to get at here is</p>

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<p style="text-align: right;">Page 306</p> <p>1 you came into St. Clair in March 2015; is 2 that right? 3 A. Uh-huh. 4 Q. And you inherited policies and 5 procedures that were in place governing St. 6 Clair; is that right? 7 A. Right. 8 Q. Did you look at those policies and 9 procedures and make any changes to them to 10 make the prison safer? 11 MR. REEVES: Object to the form. 12 A. Yeah. Safer is a relative term. 13 I think that we -- you know, we've testified 14 to the fact that while two people involved 15 in an incident, the rest of the inmates were 16 safe. A large majority, hundreds more 17 inmates were safe, being safe. 18 So St. Clair, I'll maintain that 19 our professional correctional staff at St. 20 Clair, and every other facility in the state 21 of Alabama, the good correctional officers, 22 work tirelessly day in and day out to make 23 the environment as safe as it can be for</p>	<p style="text-align: right;">Page 308</p> <p>1 were checked. There is a report about it. 2 We didn't find anything more than what we 3 find at other facilities, it's the same 4 thing. 5 We address concerns or we note 6 concerns or the facility might have somewhat 7 not met the policies or NIC guidelines, we 8 make recommendations for them to correct. 9 And the institution, once they get the 10 report, they work tirelessly to correct 11 those issues that was found. 12 Q. Do you have any reason to believe 13 that the Department of Corrections no longer 14 has custody of that security audit? 15 A. I don't know, ma'am. 16 MS. GARRETT: Just for the record, 17 I believe we've requested that audit, and I 18 don't think that we have it yet, so I would 19 like to make a request on the record to make 20 sure that we get a copy. 21 MR. REEVES: This isn't the forum 22 for a request for production. To the extent 23 we negotiated production and it was within</p>
<p style="text-align: right;">Page 307</p> <p>1 what it is, a prison. 2 And St. Clair is as safe as any 3 other maximum security prison in the State 4 of Alabama or any state in America. 5 Q. So is it fair to say sitting here 6 today you cannot identify any written policy 7 or procedure that you changed as head warden 8 with regards to safety of the prison? 9 A. I do not recall having or being 10 necessary to change anything. I don't 11 recall any policy that I had to change to 12 make it safer, because it's my contention 13 that it is safe. 14 Q. So one other -- two other topics 15 very quickly. One of them, is it correct 16 that your prior testimony is that there was 17 a security audit that you were involved in 18 of St. Clair before you became a warden? 19 A. Yes, ma'am. 20 Q. And can you tell me about that 21 security audit, how you were involved and 22 what was found? 23 A. All 12 plus the three addendums</p>	<p style="text-align: right;">Page 309</p> <p>1 the time range, we completed a reasonably 2 diligent search for it and it would have 3 been produced. 4 MS. GARRETT: I believe this would 5 cover the second set of requests, but we can 6 discuss off the record. 7 Q. (BY MS. GARRETT:) Do you recall 8 sitting here today any changes that were 9 recommended to be made to St. Clair as a 10 result of the security audit you were 11 involved in? 12 A. I do not recall. I don't remember 13 any of the findings that we did, I don't 14 remember what the report says. I did my 15 small part and I turned it in. 16 It's put together down at central 17 office, and then it's published to whomever 18 it's published to, usually the warden and 19 maybe up the chain of command. 20 I don't recall seeing it. I might 21 have seen it when I got there. Not sure. I 22 don't recall it. 23 But, I mean, if it pointed out</p>

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<p style="text-align: right;">Page 310</p> <p>1 that the institution was doing something 2 they needed to do better, the institution 3 made efforts to correct those issues. 4 But to say that anything that we 5 found made the institution unsafe, that's 6 just not true. St. Clair, with the 7 professional correctional officers that it 8 had, was a safe environment, safe as it 9 could be. Officers were doing their job, 10 they were roving and searching and doing 11 what they could do. 12 Q. Have you been involved in any 13 security audits of St. Clair since you were 14 a warden? 15 A. Since I was a warden? Was I -- 16 Q. So from 2015 to the present, have 17 you been involved in any security audits of 18 St. Clair? 19 A. Not the departmental office, no. 20 Q. At any office, at any level were 21 you part of what is considered to be a 22 security audit under the ARs? 23 A. We do key control to control.</p>	<p style="text-align: right;">Page 312</p> <p>1 yeah. The warden III. 2 Q. Which leads me to I believe one of 3 my last few questions, which is -- I wasn't 4 around, I wasn't born yet, but I have heard 5 that President Truman has said, The buck 6 stops here. Are you familiar with that 7 quote? 8 A. Yes, ma'am. Uh-huh. 9 Q. Would you agree that the buck 10 stops with warden III at St. Clair during 11 the time that you were warden there? 12 MR. REEVES: Object to the form. 13 A. Yeah. In relation to what? 14 That's kind of a broad thing there. 15 Q. It's a broad question. Let me try 16 to narrow it down. 17 So would you say that when an 18 incident of violence occurs at St. Clair, 19 that the person ultimately who should be 20 held responsible is warden III? 21 MR. REEVES: Object to the form. 22 A. Not at all. 23 Q. If there's an incident of</p>
<p style="text-align: right;">Page 311</p> <p>1 Q. Have there been any findings as a 2 result of that that you made sure were 3 instituted at St. Clair? 4 A. I don't make sure -- it's not my 5 job to make sure that anything is 6 instituted. My job is to look at the -- do 7 an audit of a particular security thing that 8 I'm looking at and then see where if the 9 institution is deficient in any manner of 10 those standards and then write it up and 11 send it forward. 12 Q. When you say it's not your job, 13 are you referring to your current job as 14 part-time in the inspector general's office? 15 A. The warden of the facility would 16 be responsible for making changes at a 17 particular institution. 18 Q. When you say the facility would be 19 responsibility, who at the facility would be 20 responsible ultimately for implementing 21 changes that were recommended from a 22 security audit? 23 A. Let me think here a second. Oh,</p>	<p style="text-align: right;">Page 313</p> <p>1 violence, who should be held responsible for 2 that incident occurring? 3 MR. REEVES: Object to the form. 4 A. The inmates that create the 5 violence. 6 MS. GARRETT: Okay. I think 7 that's it. 8 MR. REEVES: No questions at this 9 time. 10 MS. GARRETT: No more questions. 11 THE VIDEOGRAPHER: We are going 12 off the record at 3:50 p.m. This concludes 13 the deposition. 14 15 (Further Deponent Saith Not) 16 17 18 19 20 21 22 23</p>

EXHIBIT A

Status of Security Positions

3-Jan-17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COIT Academy	
COIT Instruction	
COIT Assigned	
Total Assigned CO & COIT	
Potential CO Manning	
Stages Authorized	
Stages - Assigned	
Stages Manning	
Activated Stages	
PT Retiree - LE	
Cubicle OP	

**PLAINTIFF'S
EXHIBIT**

8

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ADOC(DOJ)-AB-0000053

Status of Security Positions

17-Jan-17

CO Material	
CO - Assigned	
CO Missing	
Assigned CO	
CO Academy	
COI Instruction	
COI Assigned	
Total Assigned CO & COI	
Potential CO Missing	
Supv Authorized	
Supv Assigned	
Supv Missing	
Assigned Supv	
PT Refills - LE	
Cubicle OP	

30-Jan-17

ADOC(DOJ)-AB-0000058

13-Feb-17

ADOC(DOJ)-AB-0000060

Status of Security Positions

21-Feb-17

CO Authorized	
CO - Assigned	
CO Manning	
Authorized CO	
COT Academy	
COT Instructor	
COT Assigned	
Total Assigned CO & COT	
Potential CO Manning	
Super Authorized	
Super - Assigned	
Super Manning	
Authorized Super	
PT Retiree - IE	
Cubicle OP	

St. Clair

Status of Security Positions

27-Feb-17

CO Authorized	
CO - Assigned	
CO Missing	
Assigned CO	
COOT Asst/Inv	
COOT Initiation	
COOT Assigned	
Total Assigned CO & COOT	
Reserve CO Missing	
Supv Authorized	
Supv - Assigned	
Supv Missing	
Assigned Supv	
PT Reserve - LE	
Cubicle Op	

Status of Security Positions

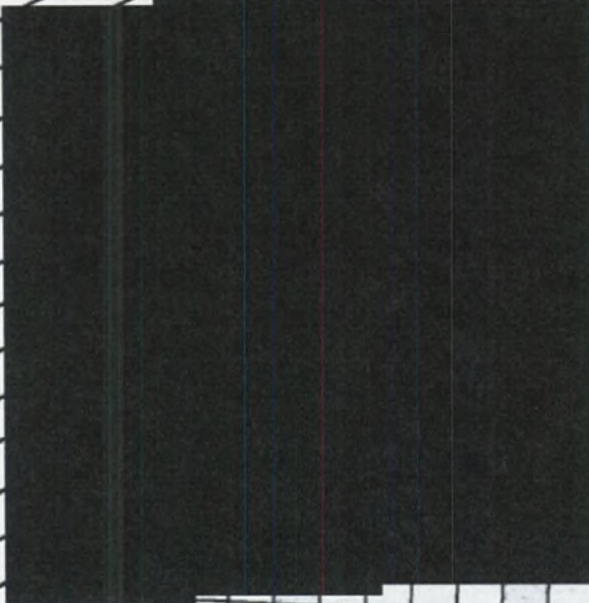
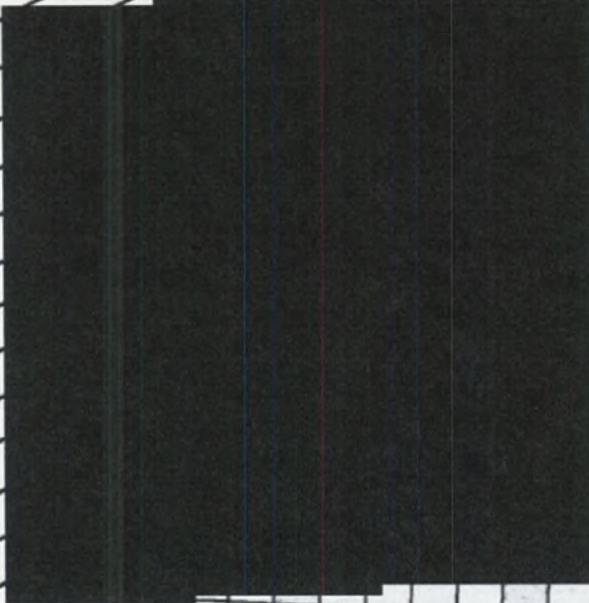
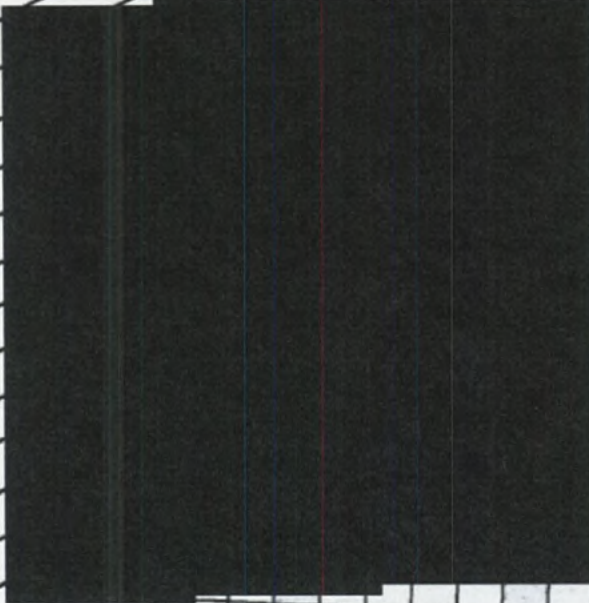
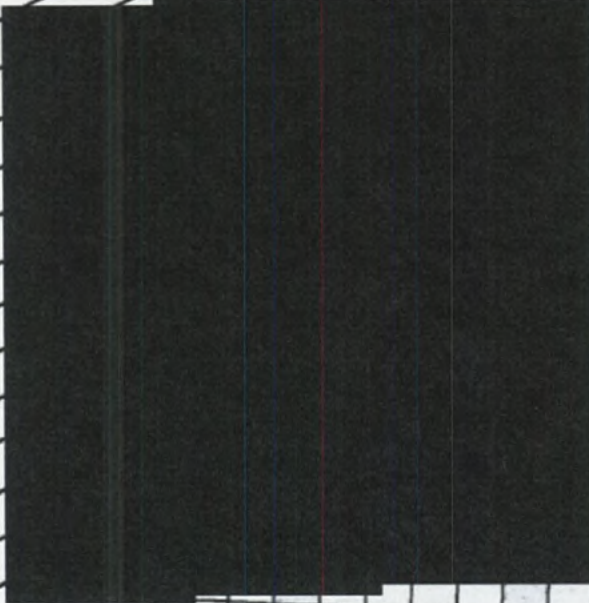
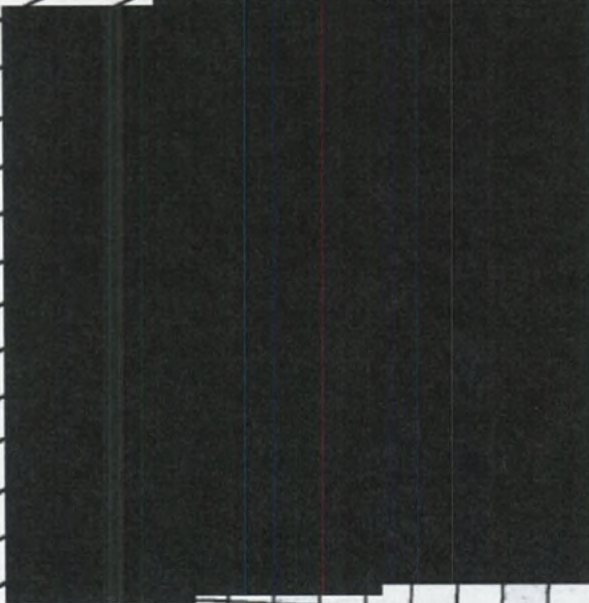
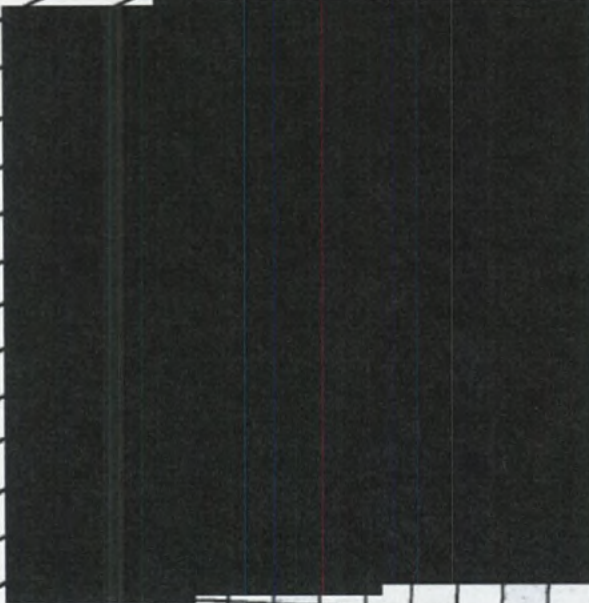
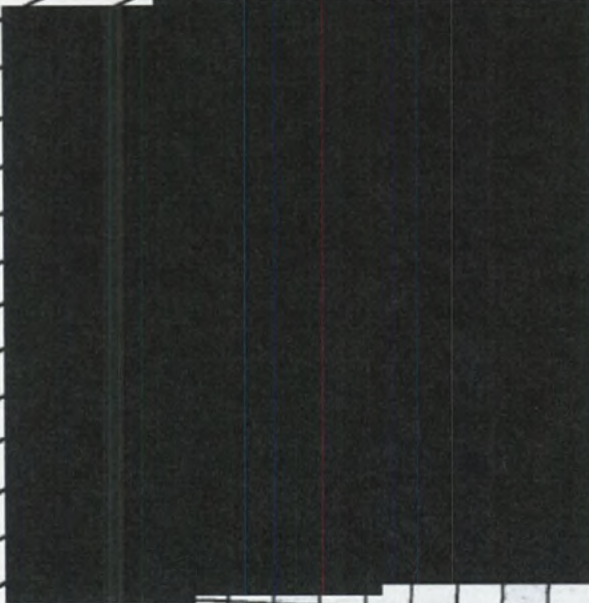
13-Mar-17

St. Clair

CO Authorized	
CO Assigned	
CO Manning	
Assigned CO	
COT Academy	
COT Institution	
COT Assigned	
Total Assigned CO & COT	
Physical CO Manning	
Supv Authorized	
Supv Assigned	
Supv Manning	
Authorized Supv	
PT Routine - LE	
Cubicle OP	

Status of Security Positions

20-Mar-17

CO Authorized										
CO - Assigned										
CO Manning										
Activated CO										
COT Academy										
COT Institution										
COT Assigned										
Total Assigned CO & COT										
Potential CO Manning										
Super Authorized										
Super - Assigned										
Super Manning										
Activated Super										
PT Refres - LE										
Cubicle OP										

St. Clair

27-Mar-17

ADOC(DOJ)-AB-0000066

Status of Security Positions

3-Apr-17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COIT Academy	
COIT Institution	
COIT Assigned	
Total Assigned CO & COIT	
Potential CO Manning	
Supv Authorized	
Supv - Assigned	
Supv Manning	
Activated Supv	
PT Ratios - LE	
Cubicle OP	

10-Apr-17

ADOC(DOJ)-AB-0000068

Status of Security Positions

17-Apr-17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COT Academy	
COT Institution	
COT Assigned	
Total Assigned CO & COT	
Potential CO Manning	
Supv Authorized	
Supv - Assigned	
Supv Manning	
Authorized Sup	

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ADOC(DOJ)-AB-0000069

Status of Security Positions

2/16/17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COT Assembly	
COT Installation	
COT Assigned	
Total Assigned CO & COT	
Potential CO Manning	
Supv Authorized	
Supv - Assigned	
Supv Manning	
Activated Supv	
PT Refuges - LE	
Cubicle OP	

Status of Security Positions

1-May-17

CO Authorized	
CO - Assigned	
CO Manning	
Authorized CO	
COT Academy	
COT Institution	
COT Assigned	
Total Assigned CO & COT	
Patrol CO Manning	
Supv Authorized	
Supv - Assigned	
Supv Manning	
Activated Supv	
PT Reserve - LE	
Cubicle OP	

8-May-17

[illegible]

22-May-17

ADOC(DOJ)-AB-0000074

Status of Security Positions

30-May-17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COT Academy	
COT Institution	
COT Assigned	
Total Assigned CO & COT	
Potential CO Manning	
Supv Authorized	
Supv - Assigned	
Supv Manning	
Activated Supv	
PT Refine - LE	
Cubicle OP	

6-Jun-17

ADOC(DOJ)-AB-0000076

19-Jun-17

ADOC(DOJ)-AB-0000078

Status of Security Positions

26-Jun-17

CO Authorized	
CO - Assigned	
CO Manning	
Activated CO	
COT Academy	
COT Institution	
COT Assigned	
Total Assigned CO & COT	
Potential CO Manning	
Super Authorized	
Super - Assigned	
Super Manning	
Activated Super	
PT Retiree - LE	
Cubicle OP	

5-104-17

	CO Authorized
	CO - Assigned
	CO Missing
	Assigned CO
	COT Academy
	COT Institution
	COT Assigned
	Chief Assigned CO & COT
	Unstaffed CO Missing
	Supv Authorized
	Supv - Assigned
	Supv Missing
	Authorized Supv
	PT Routine - LE
	Cubicle OP

Status of Security Positions

10-Jul-17

St. Clair			
CO Authorized			
CO - Assigned			
CO Manning			
Activated CO			
COI Academy			
COI Institution			
COI Assigned			
Total Assigned CO & COI			
Potential CO Manning			
Super Authorized			
Super - Assigned			
Super Manning			
Activated Super		1	
PT Retiree - LE			
Cubicle OP			